

# NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) <b>MOORE SR, THOMAS V</b>		2. Social Security Number <b>Redacted - Privacy</b>		3. Date of Birth <b>Redacted - Privacy</b>	4. Effective Date <b>08/19/07</b>
<b>FIRST ACTION</b>			<b>SECOND ACTION</b>		
5-A. Code <b>702</b>	5-B. Nature of Action <b>PROMOTION</b>		6-A. Code	6-B. Nature of Action	
5-C. Code <b>N3M</b>	5-D. Legal Authority <b>REG 335 102 COMP</b>		6-C. Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority		6-E. Code	6-F. Legal Authority	
7. FROM: Position Title and Number <b>COAL MINE SAFETY AND HEALTH INSPECTOR CA122403 SL0069</b>			15. TO: Position Title and Number <b>SUPERVISORY COAL MINE SAFETY AND HEALTH 00012619 PP0364</b>		
8. Pay Plan	9. Grr. Code	10. Grade/Level	11. Step/Rate	12. Total Salary	13. Pay Basis
		<b>12</b>	<b>09</b>	<b>80,331.00</b>	<b>PA</b>
13A. Basic Pay	13B. Locality Adj.	13C. Adj. Basic Pay	13D. Other Pay		
<b>71,317.00</b>	<b>9,014.00</b>	<b>80,331.00</b>	<b>.00</b>		
14. Name and Location of Position's Organization <b>MINE SAFETY AND HEALTH ADMINISTRATION OFFICE OF THE ASSISTANT SECRETARY OFFICE OF THE ADMINISTRATOR FOR COAL DIST. 4 INSPECTION DIVISION</b>			22. Name and Location of Position's Organization <b>MINE SAFETY AND HEALTH ADMINISTRATION OFFICE OF THE ASSISTANT SECRETARY OFFICE OF THE ADMINISTRATOR FOR COAL DIST. 4 INSPECTION DIVISION</b>		
			<b>DL MI0106898400000000 PP 17 2007</b>		
<b>EMPLOYEE DATA</b>					
23. Veterans Preference		24. Tenure		25. Agency Use	
<b>2</b>		<b>1</b>		<b>26. Veterans Preference for RIF</b>	
1 - None 2 - 5 Percent 3 - 10 Percent 4 - 15 Percent 5 - 20 Percent		1 - Permanent 2 - Temporary 3 - Career 4 - Seasonal 5 - Other		<b>X</b> YES <input type="checkbox"/> NO	
27. FEGLI		28. Annuity Indicator		29. Pay Rate Determinant	
<b>MI BASIC-1X ADDITIONAL-1X FAMILY</b>		<b>9 NOT APPLICABLE</b>		<b>0</b>	
30. Retirement Plan		31. Service Comp. Date (Leave)		32. Work Schedule	
<b>K FERS AND FICA</b>		<b>04/11/90</b>		<b>F FULL TIME</b>	
33. Position Occupied		34. FLSA Category		35. Appropriation Code	
<b>1</b>		<b>E</b>		<b>37. Bargaining Unit Status</b>	
1 - Competition Service 2 - Excepted Service 3 - SES General 4 - SES Career Reserved		E - Exempt M - Management		<b>8888</b>	
36. Duty Station Code		38. Duty Station (City - County - State or Overseas Location)			
<b>54-1855-019</b>		<b>MOUNT CARBON FAYETTE WV</b>			
40. Agency Data		41.	42.	43.	44.
45. Remarks <b>Union dues terminated. This position is outside the bargaining unit. Subject to completion of one year probationary period for assignment to supervisory (or managerial) position beginning 8/19/07. Selected from Merit Staffing Certificate PH-07-121 dated 6/18/07. Position is at the full performance level.</b>					
46. Employing Department or Agency <b>DEPARTMENT OF LABOR</b>			50. Signature/Authentication and Title of Approving Official <b>SANDRA L. WEAVER HUMAN RESOURCES OFFICER</b>		
47. Agency Code	48. Personnel Office ID	49. Approval Date			
<b>DL MI</b>	<b>3392</b>	<b>08/11/07</b>			

# NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) MOORE SR. THOMAS V		2. Social Security Number Redacted - Privacy		3. Date of Birth Redacted - Privacy		4. Effective Date 01/17/10									
FIRST ACTION				SECOND ACTION											
5-A. Code 721		5-B. Nature of Action REASSIGNMENT		6-A. Code		6-B. Nature of Action									
5-C. Code NRM		5-D. Legal Authority REG 335 102 EXCEPT		6-C. Code		6-D. Legal Authority									
5-E. Code		5-F. Legal Authority		6-E. Code		6-F. Legal Authority									
7. FROM: Position Title and Number SUPERVISORY COAL MINE SAFETY AND HEALTH 00012619 PP0364				15. TO: Position Title and Number SUPERVISORY COAL MINE SAFETY AND HEALTH 00020663 PP0364											
8. Pay Plan		9. Gen. Code		10. Grade/Level		11. Step/Rate		12. Total Salary		13. Pay Band					
GS		1822		13		00		95,459.00		PA					
12A. Basic Pay		12B. Locality Adj.		12C. Adj. Basic Pay		12D. Other Pay		12E. Basic Pay		12F. Locality Adj.					
83,619.00		.00		83,619.00		.00		83,619.00		.00					
14. Name and Location of Position's Organization MINE SAFETY AND HEALTH ADMINISTRATION OFFICE OF THE ASSISTANT SECRET OFC OF THE ADMINISTRATOR FOR C COAL/DIST 4 INSPECTION DIVISIO				22. Name and Location of Position's Organization MINE SAFETY AND HEALTH ADMINISTRATION OFFICE OF THE ASSISTANT SECRET OFC OF THE ADMINISTRATOR FOR C COAL/DIST 4 INSPECTION DIVISIO											
DL MI0106098402000900 PP 02 2010															
EMPLOYEE DATA															
23. Veterans Preference 3 1 - Honor 2 - 10% Points/Duty Station 3 - 10% Points/Other 4 - 10% Points/Compensation/20%				24. Tenure 1 1 - Permanent 2 - Conditional 3 - Probationary				25. Agency Use				26. Veterans Preference for RIF X YES NO			
27. FEGLI M BASIC-IX ADDITIONAL-IX FAMILY				28. Admittance Indicator 9 NOT APPLICABLE				29. Pay Rate Determinant 8				30. Part-Time Hours Per Biweekly Pay Period			
31. Retirement Plan K PERS AND FICA				32. Service Comp. Date (Leave) 04/11/90				33. Work Schedule F FULL TIME				34. Bargaining Unit Status 8888			
POSITION DATA															
35. Position Occupied 1 1 - Original Service 2 - 302 General 3 - 302 General 4 - 302 General				36. PLSA Category E E - Except 7 - Nonexcept				37. Appropriation Code				38. Duty Station Code 54-1870-019			
39. Duty Station (City - County - State or Overseas Location) MOUNT HOPE FAYETTE WV															
40. Agency Data 41. 42. 43. 44.															
45. Remarks															

46. Employing Department or Agency DEPARTMENT OF LABOR		50. Signature/Authentication and Title of Approving Official E/S BY: CRYSTAL L. GUY HUMAN RESOURCES OFFICER	
47. Agency Code DL MI	48. Personnel Office ID 3392	49. Approval Date 01/09/10	



## PERFORMANCE MANAGEMENT PLAN FOR MANAGERS AND SUPERVISORS

General Information		
Name:	THOMAS V. MOORE	
Organization:	MSHA-COAL	
Appraisal Period:	10/24/2008 To 10/15/2009	
Establishment of the Performance Management Plan		
We have discussed this plan; written comments have _____ have not <input checked="" type="checkbox"/> been attached.		
Manager/Supervisor:	<u>Thomas V. Moore</u> Date: <u>10-28-08</u>	
Rating Official:	<u>James R. Self Jr</u> Date: <u>10/22/08</u>	
Reviewing Official:	<u>Robert V. Hardman</u> Date: <u>10/24/2008</u>	
Mid-Term Progress Review Certification		
The mid-term progress review has been conducted.		
Manager/Supervisor:	<u>Thomas V. Moore</u> Date: <u>3-17-09</u>	
Rating Official:	<u>James R. Self Jr</u> Date: <u>3.17.09</u>	
Performance Appraisal and Rating		
<input type="checkbox"/>	Exemplary	Exceed standards for all elements
<input checked="" type="checkbox"/>	Highly Effective	Exceed standards for 50% or more elements but not all; meet standards for all other elements
<input type="checkbox"/>	Effective	Meet standards for all elements and may exceed standards for less than 50% of elements
<input type="checkbox"/>	Minimally Satisfactory	Need to improve performance for one or more elements
<input type="checkbox"/>	Unsatisfactory	Fail to meet standards on one or more elements
We have discussed this appraisal; written comments have _____ have not <input checked="" type="checkbox"/> been attached.		
Manager/Supervisor:	<u>Thomas V. Moore</u>	Date: <u>10-15-2009</u>
Rating Official:	<u>James R. Self Jr</u>	Date: <u>10-15-09</u>
Reviewing Official:	<u>Robert V. Hardman</u>	Date: <u>10/15/2009</u>

**Performance  
Summary**

PURPOSE OF APPRAISAL: \_\_\_\_\_ Interim Rating      ☒ Rating of Record

For each element, use an "X" to indicate the appropriate rating.  
Element ratings: E = Exceed, M = Meet, NI = Need to Improve, F = Fail

ELEMENT	ELEMENT RATING			
	E	M	NI	F
<b>Managerial Competencies:</b>				
A. Leadership	✓			
B. Resource Management	✓			
C. Coalition Building and Communication	✓			
D. Problem Solving and Initiative		✓		
<b>Achieving Organizational Results: Identify linkage with appropriate DOL Performance Outcome</b> <b>Goals:</b> For each results-specific objective, reference the related outcome goal, e.g., 1.1, 2.1, 3.3, below:  <i>(MSHA's Organizational Results Goals 1 – 3 are based on the DOL Performance Goal 3B – Reduce Work-Related fatalities, injuries, and illnesses in mines.)</i>		✓		
<b>Result 1:</b> MSHA Goal – Fatal Injury Incidence Rate MSHA Goal – All Injury Incidence Rate MSHA Goal – Incumbent will monitor District Mine Safety and Health program area to ensure that citations / orders are timely terminated.				
<b>Result 2</b> Reduce fatalities and injuries in the nation's mines by using the MSHA Key Indicators to direct resources and monitor enforcement performance and quality.	✓			
<b>Result 3</b> MSHA Goal 2.2 & 2.3 – Reduce Miners' Exposure to Dust and Noise ( <i>DOL Outcome goal 3.1B – Reduce Miners Exposure to Health Hazards</i> )		✓		
<b>Result 4</b> MSHA's Internal Safety and Health Goals ( <i>DOL Goals for President's SHARE initiative for government Wide Safety, Health and Return to work Employment</i> )	✓			

**Other  
Significant  
Accomplishments**

**Managerial  
Competency  
Elements**

EXCEED	<input checked="" type="checkbox"/>
MEET	<input type="checkbox"/>
NEED TO IMPROVE	<input type="checkbox"/>
FAIL	<input type="checkbox"/>

**A. LEADERSHIP**

**Performance standards for Meet:**

Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission, consistent with key Agency policies and priorities and economic, political and social trends affecting the organization.

Anticipates and meets the needs of clients/customers. Sets standards for customers' needs and satisfaction, and meets them.

Uses agency performance plans and other management systems to link individual performance to outcomes and to overall organizational performance objectives.

The supervisor vigorously monitors the status of all inspection with daily two-way conversations with the inspectors, office personnel and others who are involved in the inspection process. As a result of constant communication it is easy to make any adjustments or reassignments when deemed necessary. The supervisor makes them with great fortitude with the goals and mission of the agency as the primary objective. The supervisor has an open door policy that promotes and provides an atmosphere that encourages input thus allowing problem solving to remain at the lowest level possible.

The supervisor has developed plans for both short-term and long-term goals that adhere to key agency policies as well as economic, social and political trends.

During the year, many hours of discussions with the mine operators, compliance specialists, and others have allowed for unforeseen problems to be addressed before they become a major problem.

By continuing to stay in touch with the miners, mine operators, other enforcement agencies, and other elements of the mining community, the needs of the community are anticipated and approached with a proactive attitude.

Input from the various groups and compliance specialists allows the supervisor to address and handle controversy before it escalates.

By staying actively involved with the mining community, many issues have been avoided before they become a serious problem for the miners, mining community and the agency.

See Attached.

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**Managerial Competency Elements**  
**A. Leadership (Continued)**

The supervisor makes regular visits AA and FAR to assigned mines in an effort to maintain good and open communications with miners, mine operators, and inspection personnel. This professional approach has frequently prevented issues from by-passing the field office and going to the district level.

The supervisor has fostered a trust and respect from miners, mine operators, and inspectors that he has frequently resulted in requests by the mine operator to assist in resolving mine problems.

The supervisor has displayed a high level of effort and qualities by implementing the overall organization performance objectives and management systems to link and enhance the ability of individuals to identify problems and give them the resources necessary to address most problems.

Managerial  
Competency  
Elements

B. RESOURCE MANAGEMENT

EXCEED	<input checked="checked" type="checkbox"/>
MEET	<input type="checkbox"/>
NEED TO IMPROVE	<input type="checkbox"/>
FAIL	<input type="checkbox"/>

Performance standards for Meet:

Ensures that staff are appropriately selected, utilized, appraised, and developed, as well as treated fairly and equitably. Takes steps to address issues of discrimination of which he or she is aware. Actively develops the talents of the staff, and develops qualified candidates for positions in the organization.

Uses informal training, continuous managerial assessments, frequent and constructive feedback and appropriate recognition to promote staff morale and to ensure quality work products and customer service.

Proactively works to maintain a safe workplace and to prevent accidents, injuries and illness. Resolves conflicts in a positive and constructive manner.

Assures that the organizational budget is administered in a manner that supports the accomplishment of program goals and reflects sound financial management.

The supervisor is an advocate of treating everyone fairly and equitably. He promotes and encourages this policy by example. Employees have been trained as to what steps are to be taken concerning issues of discrimination.

The supervisor uses informal training such as meetings within the work group to promote team effort and sharing knowledge and experiences of individual efforts to reach set goals and policies of all assigned mines.

By having an open working relationship, training needs are met in an informal manner. This allows for a better working relationship between the employee and the supervisor. This promotes morale and ensures a good working relationship is developed in the office and this serves the mining community appropriately.

The leadership abilities foster a team atmosphere that broadens collectively and individually the workgroup's knowledge and enable the workgroup to meet our mission and goals.

The supervisor encourages and promotes safety at the office as well as while performing duties at the mines and facilities. This is achieved by conducting safety meetings and raising employee awareness of their immediate environment and surroundings.

The supervisor has maintained control over the resources in his assigned area of responsibility and often during this rating period was required to adjust priorities and manpower to meet deadlines and to gather mine specific information for requests from the district.

6/2004

DLB-2255-00034



**Managerial  
Competency  
Elements**

**C. COALITION BUILDING AND COMMUNICATION**

EXCEED	<input checked="" type="checkbox"/>
MEET	<input type="checkbox"/>
NEED TO IMPROVE	<input type="checkbox"/>
FAIL	<input type="checkbox"/>

**Performance standards for Meet:**

Promotes an open, communicative environment where staff can readily access resources and move forward to accomplish common goals and tasks. Handles workplace disputes promptly and effectively.

Makes clear to staff what is expected of them both individually and as a team/group; clarifies the extent of their authority.

Effectively represents the Department and the program agency internally and externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.

The supervisor promotes an open, communicative environment where employees can readily access information and resources to move forward and accomplish goals and tasks. Good working relationships and communications with fair and open-minded values minimize disputes promptly and effectively.

The supervisor encourages cooperation in decision making from the workgroup while maintaining a high degree of awareness on all issues that arise.

The supervisor makes clear to the mine operators what is required and expected from them with prompt notification of any incident that occurs at the mine. This process has enabled the inspector to conduct his inspection/investigation in a timely manner and reduced exposure of miners to unsafe working conditions.

**Managerial  
Competency  
Elements**

**D. PROBLEM SOLVING AND INITIATIVE**

EXCEED	<input type="checkbox"/>
MEET	<input checked="" type="checkbox"/>
NEED TO IMPROVE	<input type="checkbox"/>
FAIL	<input type="checkbox"/>

**Performance standards for Meet:**

Stressed innovation and risk-taking. Analyzes problem and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move program forward.

Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results.

The supervisor has been innovative and has not hesitated in taking risks to move Agency programs forward at any given opportunity. He accepts mistakes with the attitude they are part of the developmental process.

**Organizational  
Performance  
Elements**

Provide 4 results-specific objectives that demonstrate linkage with DOL's Strategic Plan outcome goals. This section should include the major results to be achieved during the period of time covered by the performance agreement. Results need to be clearly identified and measurable. They should be phrased in a manner that will leave no doubt about whether the results were achieved, however, the results should not include detailed milestones or descriptions of the process and methods used to get the results.

PERFORMANCE AGREEMENT RESULT # 1		Element 1 Reduce the Mining Fatality injury Incidence Rate in the Nation's Mines in accordance with the GPRA Goals outlined in the DOL Strategic Plan.
EXCEED		<p>Incumbent will monitor District Mine Safety and Health program area to ensure that citations/orders are timely terminated.</p> <p><i>(DOL Outcome Goal 3 Safe and Secure Workplace – 3B – Reduce work-related fatalities, injuries and illnesses in mines)</i></p> <p><b>Element 2</b> Reduce the ALL Injury Incidence Rate in the Nation's Mines in accordance with the GPRA Goals outlined in the DOL Strategic Plan.</p> <p>Incumbent will monitor District Mine Safety and Health program area to ensure that citations/orders are timely terminated.</p> <p><i>(DOL Outcome Goal 3 Safe and Secure Workplace – 3B – Reduce work-related fatalities, injuries and illnesses in mines)</i></p> <p>Performance is satisfactory when no more than 3% of the citations are past due. Performance will be measured by the degree to which Coal is able to terminate citations within the period established by policy for abatement. Progress will be measured through a report furnished by PEIR.</p>
MEET	✓	
NEED TO IMPROVE		
FAIL		

The supervisor has been professional, firm and fair in all contacts make with mine operators, miners, state inspectors and other compliance specialists. He has always promoted inspection with a purpose and root cause analysis to be effective in meeting the Agency's mission and goals.

The supervisor provided to the inspectors, accident reports, fatal grams, information related to serious injuries, near misses, and fatalities to be shared with the miners and operators

The supervisor monitors the due date of citations and holds the inspectors responsible for the paperwork to be completed in a timely manner.

**Organizational  
Performance  
Elements**

PERFORMANCE AGREEMENT RESULT # 2		Reduce fatalities and injuries in the nation's mines by using the MSHA Key Indicators to direct resources to monitor and improve enforcement performance and quality.
EXCEED	✓	Incumbent monitors MSHA Key Indicator reports for inspector performance results outside the acceptable norms and averages for each District's unique and distinct performance levels. Incumbent understands the effects of each district's geography and work load when determining acceptable average performance baselines.  Performance is satisfactory when the Incumbent demonstrates the use of the MSHA Key Indicators in the daily managerial decision-making process, demonstrates an understanding of the root causes for variances in monthly reporting, assigns responsibility for the variances, accounts for their occurrence and remedy where applicable and shares best practices with relevant MSHA employees. The incumbent must ensure that the completion rate of all EO1 inspections is 100%. Exception to this only may be granted if the incumbent can demonstrate supporting aberrations beyond the control of the incumbent's management ability that prevented 100% completion. The completion rate of all EO1 inspections at 100% will be for coal mines located throughout the district office.  (DOL Strategic Goal 3 Safe and Secure Workplace – DOL Performance goal 3B – Reduce work-related fatalities, injuries and illnesses in mines)
MEET		
NEED TO IMPROVE		
FAIL		

The supervisor insists and instills in his inspectors to be firm and fair in enforcement of the Agency's policies and regulations. He has encouraged inspectors to use the appropriate level of enforcement when issuing citations and orders.

He reviews citations and orders to ensure consistency among the inspectors.

The supervisor encourages inspecting with a purpose and encourages the use of the data retrieval system and mine profile program. This information helps develop an inspection profile and/or strategy that meet the Agency's mission and goals.

Open meetings with the miners and mine operators increase awareness of accidents in all areas and help in the reduction of accidents at the mines.

Key indicators are used by the supervisor in the daily decision making process by the supervisor understands the root cause discrepancies in monthly reporting, assigns and accounts for their occurrence and remedy when applicable and includes best practices with MSHA inspectors. Key indicators are used to ensure performance levels and work loads are fair while ensuring EO1 inspections are completed at the rate of 100% throughout the field office and district area.

The supervisor assigned respirable dust survey that were completed with 100% completion rate.

**Organizational  
Performance  
Elements**

PERFORMANCE AGREEMENT RESULT # 3		Decrease by 2% per year the percentage of dust and noise samples taken with results that are less than half the permissible exposure limit. (Dust 11.5 target and Noise 3.63 target).  (DOL Strategic Goal 3 Safe and Secure Workplace – DOL Performance goal 3B – Reduce work-related fatalities, injuries and illnesses in mines)
EXCEED		
MEET	✓	
NEED TO IMPROVE		
FAIL		

The supervisor assigned respirable dust surveys that were conducted with 100% completion rate and no citations/orders were issued for noncompliance.

**Organizational  
Performance  
Elements**

PERFORMANCE AGREEMENT RESULT # 4		MSHA's internal employee safety and health goals for FY 2008:
EXCEED	✓	1. reduce the total case rates for injuries and illness by at least 3% per year;
MEET		2. reduce the case rates for lost time injuries and illnesses by at least 3% per year;
NEED TO IMPROVE		3. increase the timely filing of injury and illness notices by at least 5% per year; and
FAIL		4. reduce the rates of loss production days due to injuries and illnesses by at least 1% per year.
		<i>(DOL Goals for President's SHARE Initiative for government wide Safety, Health and Return to Employment)</i>

The supervisor promotes accident prevention management by conducting health and safety inspections and takes prompt action to eliminate unsafe conditions that may be present. Work group and field office health and safety training sessions are held monthly and safety awareness is discussed on a daily basis.

Inspector health and safety is promoted throughout the work group. Suggestions and input on employee health and safety issues are solicited from the staff. Employee accidents which have occurred within the district are thoroughly reviewed with all employees.

No lost time injuries occurred during this rating period. The supervisor's accomplishments in this area greatly enhanced the ability of the district to meet their goals.

## Performance Management Plan for Managers and Supervisors

<b>A. General Information</b>											
1. Employee Name (last, first, middle) Moore, Thomas V.	2. Organization MSHA										
3. Title, Series, Grade Supervisory Coal Mine Safety and Health Inspector, GS-1822-13	4. Appraisal Period (mm/dd/yyyy) 11/10/2009 to 9/30/2010										
5. Supervisory Status <input checked="" type="checkbox"/> Code 2 - Supervisor or Manager											
<b>B. Performance Elements and Standards Certification</b>											
1. I certify that this performance plan contains accurate performance elements and standards that: <div style="display: flex; justify-content: space-between;"> <div style="width: 20px; text-align: center;"> <input checked="" type="checkbox"/> </div> <div>Link at least one critical element to specific Department, Agency, and/or organizational strategic goal.</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 20px; text-align: center;"> <input checked="" type="checkbox"/> </div> <div>Hold the employee accountable for measurable and observable results.</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 20px; text-align: center;"> <input checked="" type="checkbox"/> </div> <div>Link to the employee's position description and reflect the duties and responsibilities assigned to the employee</div> </div>											
2. Rating Official Signature <i>Lincoln L. Seife</i>	Date (mm/dd/yyyy) 11-10-2009										
3. Rating Official Name (last, first, middle) Seife, Lincoln L., Jr.											
4. Rating Official Title Assistant District Manager											
5. Prototype Standards? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No											
<b>C. Position Description Certification</b>											
1. Position description is correct? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, Explain below.)											
2. Rating Official Signature <i>Lincoln L. Seife</i>	Date (mm/dd/yyyy) 11-10-2009										
3. Rating Official Name (last, first, middle) Seife, Lincoln L., Jr.											
4. Rating Official Title Assistant District Manager											
<b>D. Establishment of the Performance Management Plan</b>											
1. We have discussed this plan and written comments are attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>Documented in Comments</i>											
2. Employee Signature <i>Thomas V. Moore</i>	Date (mm/dd/yyyy) 11-10-2009										
3. Rating Official Signature <i>Lincoln L. Seife</i>	Date (mm/dd/yyyy) 11-10-2009										
4. Rating Official Name (last, first, middle) Seife, Lincoln L., Jr.	5. Rating Official Title Assistant District Manager										
<b>E. Mid-Term Progress Review Certification</b>											
1. The mid-term progress review has been conducted <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, Explain below.)											
2. Employee Signature <i>Thomas V. Moore</i>	Date (mm/dd/yyyy) 11/16/2010										
3. Rating Official Signature <i>Lincoln L. Seife</i>											
4. Rating Official Name (last, first, middle) Seife, Lincoln L.											
5. Rating Official Title Assistant District Manager											
<b>F. Performance Appraisal and Rating</b>											
1. Indicate Performance appraisal and rating below											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Exemplary</td> <td>Exceed standards for all elements</td> </tr> <tr> <td><input checked="" type="checkbox"/> Highly effective</td> <td>Exceed standards for 50% or more elements but not all; meets standards for all other elements</td> </tr> <tr> <td><input type="checkbox"/> Effective</td> <td>Meet standards for all elements and may exceed standards for less than 50% of elements</td> </tr> <tr> <td><input type="checkbox"/> Minimally Satisfactory</td> <td>Need to improve performance for one or more elements</td> </tr> <tr> <td><input type="checkbox"/> Unsatisfactory</td> <td>Fail to meet standards on one or more elements</td> </tr> </table>		Exemplary	Exceed standards for all elements	<input checked="" type="checkbox"/> Highly effective	Exceed standards for 50% or more elements but not all; meets standards for all other elements	<input type="checkbox"/> Effective	Meet standards for all elements and may exceed standards for less than 50% of elements	<input type="checkbox"/> Minimally Satisfactory	Need to improve performance for one or more elements	<input type="checkbox"/> Unsatisfactory	Fail to meet standards on one or more elements
Exemplary	Exceed standards for all elements										
<input checked="" type="checkbox"/> Highly effective	Exceed standards for 50% or more elements but not all; meets standards for all other elements										
<input type="checkbox"/> Effective	Meet standards for all elements and may exceed standards for less than 50% of elements										
<input type="checkbox"/> Minimally Satisfactory	Need to improve performance for one or more elements										
<input type="checkbox"/> Unsatisfactory	Fail to meet standards on one or more elements										
2. We have discussed this appraisal; written comments are attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No											
3. Purpose of Appraisal <input type="checkbox"/> Interim Rating <input checked="" type="checkbox"/> Rating of Record	7. Employee Signature <i>Thomas V. Moore</i>										
4. Rating Official Signature <i>Lincoln L. Seife</i>	Date (mm/dd/yyyy) 10/27/2010										
5. Rating Official Name (last, first, middle) Seife, Lincoln L., Jr.	8. Reviewing Official Signature <i>Robert G. Hardman</i>										
6. Rating Official Title ADM Division 1	9. Reviewing Official Name (last, first, middle) Hardman, Robert G.										
	10. Reviewing Official Title District Manager										

# 3.3.3 Performance Summary

1. For each element, select the appropriate rating. Element ratings: E = Exceed; M = Meet; NI = Need to Improve; F = Fail

Managerial Competency Elements	Element Rating			
	E	M	NI	F
Leadership	<input checked="" type="checkbox"/>			
Resource Management	<input checked="" type="checkbox"/>			
Coalition Building and Communication		<input checked="" type="checkbox"/>		
Problem Solving and Initiative		<input checked="" type="checkbox"/>		
Equal Employment Opportunity		<input checked="" type="checkbox"/>		

Organizational Performance Elements	Element Rating			
	E	M	NI	F
Result 1		<input checked="" type="checkbox"/>		
Result 2		<input checked="" type="checkbox"/>		
Result 3		<input checked="" type="checkbox"/>		
Result 4		<input checked="" type="checkbox"/>		

## 3.3.4 Other Significant Accomplishments

1. Please describe other significant accomplishments in the space below.

## 3.3.5 Managerial Competency Elements

### 1. Leadership

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

#### Performance Standard for Meet

- Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission, consistent with key Agency policies and priorities and economic, political, and social trends affecting the organization.
- Anticipates and meets the needs of clients/customers. Sets standards for customers' needs and satisfaction and meets them.
- Uses Agency performance plans and other management systems to link individual performance to outcomes and to overall organizational performance objectives.
- Promotes and maintains diverse and inclusive workforce by actively recruiting and hiring from diverse applicant pools; fostering collaboration with individuals from diverse backgrounds, perspectives, and experiences; ensuring opportunities for growth exist equitably for all employees; and providing fair and equitable recognition of accomplishments for all employees.

#### Narrative

The supervisor vigorously monitors the status of all inspections with daily two-way conversation with the inspectors, office personnel and all others that are involved in the inspection process. As a result of these constant communications, if any adjustments or reassignments are deemed necessary, the supervisor makes them with great fortitude with the goals and mission of the Agency as the primary objective. The supervisor has an open door policy that promotes and provides an atmosphere that encourages input thus allowing problem solving to remain at the lowest level possible. The supervisor has developed plans for both short term goals and long term goals that adhere to key Agency policies as well as economic, social and political trends.

During the year many hours of discussions with the mine operators, compliance specialist and others have allowed for unforeseen problems to be addressed even before they became a problem. This allows the supervisor to address and handle controversy before it escalates. By continuing to stay in touch with the miners, mine operators, other enforcement agencies and other elements of the mining community, the needs of the community are anticipated and approached with a proactive attitude. By staying actively involved issues have been avoided before they became a serious problem for the miners, mining community and the Agency.

The supervisor makes regular visits, AA and FAR, to assigned mines in an effort to maintain good and open communications with miners, mine operators and inspection personnel. This professional approach has frequently prevented issues from by-passing the field office and going to the district level. The supervisor has fostered a trust and respect from miners, mine operators and inspectors that he has frequently been requested by the mine operator to assist in resolving mine problems. The supervisor has displayed a high level of effort and qualities by implementing the overall organizational performance objective and management systems to link and enhance the ability of individuals to identify problems and give them the resources necessary to address most problems.



## 2. Resource Management

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

### Performance Standard for Meet

- Ensures that staff are appropriately selected, utilized, appraised and developed. Actively develops the talent of the staff and develops qualified candidates for positions in the organization.
- Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.
- Uses informal training, continuous managerial assessments, frequent and constructive feedback and appropriate recognition to promote staff morale and to ensure quality work products and customer service.
- Proactively works to maintain a safe workplace and to prevent accidents, injuries and illness. Resolves conflicts in a positive and constructive manner.
- Assures that the organizational budget is administered in a manner that supports the accomplishment of program goals and reflects sound financial management.
- Develops, implements, and maintains strategic and operational plans to facilitate the achievement of program responsibilities, assigned under the American Recovery and Reinvestment Act (ARRA) provisions, consistent with the Secretary's enduring vision of *Good Jobs for Everyone*. Assures that allocated ARRA funds are administered in accordance with the Department's "Operating Plans for Departmental Management Funds in the American Recovery and Reinvestment Act", and complies with Departmental requirements for accurate recording and reporting of ARRA-related activities and resource utilization.
- Actively recruits to attract and select qualified applicants with the competencies needed to successfully meet Departmental Fiscal Year 2010 hiring goals by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.

### Narrative

The supervisor is an advocate of treating everyone fairly and equitably. He promotes and encourages this policy by example. Employees have been trained as to what steps to take concerning issues of discrimination.

The supervisor uses informal training such as meetings within the work group to promote team effort and sharing knowledge and experiences of individuals to reach set goals and policies of all assigned mines.

The leadership abilities foster a team atmosphere that broadens collectively and individually the work group's knowledge and enables the work group to meet our mission and goals. The supervisor encourages and promotes safety of the office as well as while performing duties of the mines and facilities. This is achieved by conducting safety meetings and raising employee's awareness of their immediate environment.

The supervisor has maintained control over the resources in his assigned area of responsibility and has often during this rating period required adjusting priorities and manpower to meet deadlines and to gather mine specific information for requests from the district.

## 3. Coalition Building and Communication

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

### Performance Standard for Meet

- Promotes an open, communicative environment where staff can readily access resources and move forward to accomplish common goals and tasks. Handles workplace disputes promptly and effectively.
- Makes clear to staff what is expected of them both individually and as a team/group; clarifies the extent of their authority.
- Effectively represents the Department and the program agency internally and externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.

### Narrative

There is an open relationship among employees that fosters an environment among the staff that allows common goals and tasks to be accomplished. There have been no workplace disputes between the employee's or the employee's and supervisor. The supervisor promotes an open, communicative environment where employees can readily access information and resources to move forward and accomplish goals and tasks. Good working relationships and communications with fair and open-minded values minimize disputes promptly and effectively.

Expectations, both individually and as a group, have been addressed many times during the year. Assignments have been fair and evenly assigned.

By having an open communication line between the mining communities, the supervisor and others in the mining community, common tasks, goals and projects have been addressed during the year. By sharing the work during the course of the year, decision making has been made easier by all the employees. The supervisor makes clear to the mine operators what is required and expected from them with prompt notification of any incident that occurs at the mine. This process has enabled the inspector to conduct his inspection/investigation in a timelier report, and reduced exposure of miner to unsafe working conditions.

4. Problem Solving and Initiative

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Stresses innovation and risk-taking. Analyzes problems and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move program forward.
- Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results.

Narrative

The supervisor has been innovative and has not hesitated in taking risk to move the Agency programs forward at any given opportunity. He accepts mistakes with the attitude as part of the developmental process.

5. Equal Employment Opportunity

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies. Promptly addresses allegations of prohibited discrimination, harassment, and retaliation, ensures EEO principles are adhered to throughout the organization.

Narrative

The supervisor displays a strong awareness concerning discrimination matters and compliance with EEO laws, regulations and policies. He works relentlessly to promote a better working relationship between the employees and the supervisors.

The supervisor is an advocate of treating everyone fairly and equitably. He promotes and encourages this policy by example. Employees have been trained as to what steps are to be taken concerning issues of discrimination.

The supervisor uses informal training such as meetings within the work group to promote team effort and sharing knowledge and experiences of individual efforts to reach set goals and policies of all assigned mines.

The leadership abilities foster a team atmosphere that broadens collectively and individually the workgroup's knowledge and enables the work group to meet our mission and goals.

The supervisor encourages and promotes safety at the office as well as while performing duties at the mines and facilities. This is achieved by conducting safety meetings and raising employee awareness of their immediate environment and surroundings.

The supervisor has maintained control over the resources in his assigned area of responsibility and often during this rating period was required to adjust priorities and manpower to meet deadlines and to gather mine specific information for requests from the district.

All employees are treated fair and equitable.

#### J. Organizational Performance Elements

At the beginning of the performance cycle, the rating official must provide, in Section J, four critical, results-specific elements and standards, at least one of which demonstrates linkage with the Secretary's vision of Good Jobs for Everyone that the employee will be held accountable for during the performance cycle. Each performance standard must be written at the Meets level and includes measures of performance such as quality, quantity, timeliness and cost effectiveness. Standards should be clear and not include detailed milestones or descriptions of the process and methods used to achieve the results.

In assigning a rating to each element, please rate the employee at one of the following four levels and include a written narrative as appropriate:

- Exceeds described level of performance (narrative required)
- Meets described level of performance (narrative not required)
- Needs to improve in order to meet the level of performance (narrative required)
- Fails to meet described level of performance (narrative required)

##### Result #1

☐ Exceed ☒ Meet ☐ Need to improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Outcome Goal 10 – Voice in the Workplace:

Demonstrates efforts toward the reduction of the mining fatality injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Demonstrates efforts toward the reduction of the ALL injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Monitor mine safety and health program area to ensure that citations/orders are timely terminated, and Hazard Condition Complaints are timely processed.

##### Performance Standard

Performance is satisfactory when:

A 5% reduction in FY10 from the average number of fatalities for FY2005 – FY2009.

The status of citations issued is monitored for timeliness of abatement. Performance will be measured by the degree to which the District is able to terminate citations within the period established by policy for abatement, and Hazard Condition Complaints are timely processed. Progress will be measured by using a variety of reports.

##### Narrative

The supervisor believes in firm and fair enforcement. To reduce injuries and fatalities he has instructed the inspectors to use the appropriate level of enforcement when issuing citations and orders. He reviews all citations and orders issued by the inspectors, providing oversight to ensure consistency among his workgroup.

The supervisor provided accident reports, information related to serious injuries, near misses and fatalities to be shared with the miners and operators by the inspectors, thus enhancing public relations with the mining community. This information was presented in a manner that corresponded with conditions and situations that might be present at each mine.

The inspectors have been instructed to make sure all citations/orders/safeguards are abated within the appropriate time frame. The supervisor monitors the due dates and holds the inspectors responsible for the paperwork they issue. When citations/orders/safeguards have been found to be past due, the issuing inspector has been immediately assigned to return to the mine and investigate to ensure the abatement has been completed.

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Result #2

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 – Voice in the Workplace:

Demonstrates efforts toward the reduction of the fatalities and injuries in the District's Coal mines by using the MSHA Key Indicators and other reports to direct resources to monitor and improve enforcement performance and quality in accordance with the performance goals and indicators. Incumbent monitors MSHA Coal Key Indicator and other reports for performance results outside the acceptable norms and averages for the Coal Districts' unique and distinct performance levels. Incumbent understands the effects of the District's geography and work load when determining acceptable average performance baselines.

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Performance Standard

Performance is satisfactory when:

The Incumbent demonstrates the use of the MSHA Key Indicators and other reports in the daily managerial decision-making process, demonstrates an understanding of the root causes for variances in monthly reporting, assigns responsibility for the variances, accounts for their occurrence and remedy where applicable and shares best practices with relevant MSHA employees. The Incumbent must ensure that the completion rate of all E01 inspections is 100% within their respective District. Exception to this only may be granted if the Incumbent can demonstrate supporting aberrations beyond the control of the incumbent's management ability that prevented 100% completion. The completion rate of all E01 inspections at 100% will be for all coal mines district-wide.

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Narrative

The supervisor insists and instills in his inspectors to be firm and fair in enforcement of the Agency's policies and regulations. He has encouraged inspectors to use the appropriate level of enforcement when issuing citations and orders.

The supervisor uses the MSHA key indicators and other reports to direct resources to monitor and improve enforcement performance and quality in accordance with the performance goals and indicators.

Key Indicators are used by the supervisor in the daily decision making process by the supervisor high level of understanding the root cause discrepancies in monthly reporting. The supervisor encourages the use of the data retrieval system and mine profile program that will help develop an inspection profile and/or strategy that meets the Agency's mission and goal.

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Result #3

☒ Exceed ☐ Meet ☐ Need to improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 – Voice in the Workplace:

Take appropriate action to ensure the District achieves a 2% reduction from the previous year for dust and noise sample results exceeding the allowable limits.

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Performance Standard

Performance is satisfactory when:

All entities are sampled for Respirable dust 4x/yr for underground and 2x/year for surface in addition to conducting focused inspections to target the most egregious and persistent violators; initiate systematic reviews of the quality of dust controls in approved mine ventilation and dust control plans to foster continuous improvement. Conduct a noise survey for each entity (both underground and surface) 1x a year.

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Narrative

The supervisor ensured that all respirable dust sampling was conducted at 100% for underground and surface mines for FY 10. The GPRA dust standard target for the field office was exceeded in all four quarters which greatly enhanced the assigned target for the District GPRA goals.

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**Result #4**☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 – Voice in the Workplace:

Use all available tools in an effort to reduce and/or eliminate the inconsistent enforcement of MSHA regulations, the Mine Act and the MINER Act.

Use all available tools in an effort to reduce and/or eliminate the deficiencies identified in Accountability, District and Peer reviews. Incumbent will review findings noted in such reviews and timely implement corrective actions.

---

**Performance Standard**

Performance is met when:

- (1) MSHA handbook, policy and procedures have been followed;
  - (2) Required Mine visits are completed;
  - (3) Demonstrated efforts have been made to reduce or eliminate repeat audit findings and personnel are trained as necessary;
  - (4) Field Activity and Second Level reviews are accurately completed and all deficiencies are addressed;
  - (5) There are clear demonstrated efforts made to help assure consistency in citations/orders issued;
  - (6) Hazard Condition Complaints are timely processed; and
  - (7) Conferences and contested cases are conducted in accordance with MSHA handbook, policy and procedural guidance. All reductions or changes by a District CLR during conferences or contested cases have been made with good reason and clear documentation provided. All settlement proposals have been reviewed and approved by MSHA management prior to settlement and proper documentation maintained.
- 

**Narrative**

The supervisor uses all available tools and resources to eliminate the inconsistent enforcement of MSHA regulations, the Mine Act and the Miner Act.

The supervisor meticulously monitors all reports to ensure consistency in an effort to reduce and/or eliminate the deficiencies in accountability, district and peer reviews. He exhibits a high degree of understanding of MSHA handbooks, policy and procedures. He makes regular mine visits, AA and FAR, at assigned mines in an effort to maintain good and open communication with miners, mine operators and inspection personnel. The professional approach has frequently prevented issues from bypassing the field office and going to the district level. These are conducted in accordance with MSHA handbook, policy and procedural guidance. The supervisor has displayed a high level of effort and qualities by implementing the overall organizational performance objectives and management systems to enhance the ability of individuals to identify problems and give them the resources necessary to address the problems when responding to hazardous conditions complaints and process them in a timely manner.

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# Performance Management Plan for Managers and Supervisors



<b>A. General Information</b>											
1. Employee Name (last, first, middle) Moore, Thomas V.	2. Organization Coal										
3. Title, Series, Grade FIELD OFFICE SUPERVISORY, GS-1822,13	4. Appraisal Period (mm/dd/yyyy) 11/17/2010 to 10/19/2011										
5. Supervisory Status <input type="checkbox"/> Code 2 - Supervisor or Manager											
1. I certify that this performance plan contains accurate performance elements and standards that: <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> All critical results elements link to the Agency's operating plan.</li> <li><input checked="" type="checkbox"/> Hold the employee accountable for measurable and/or observable results.</li> <li><input checked="" type="checkbox"/> Link to the employee's position description and reflect the duties and responsibilities assigned to the employee.</li> </ul>											
2. Rating Official Signature <i>Lincoln L. Selfe</i>	Date (mm/dd/yyyy) 11-15-2010										
3. Rating Official Name (last, first, middle) Selfe, Lincoln L.											
4. Rating Official Title Assistant District Manager, Inspection Division 1											
5. Prototype elements and/or standards <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No											
<b>B. Position Description Certification</b>											
1. Position description is correct? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, explain below)	2. Rating Official Signature <i>Lincoln L. Selfe</i>										
	Date (mm/dd/yyyy) 11-15-2010										
	3. Rating Official Name (last, first, middle) Selfe, Lincoln L.										
	4. Rating Official Title Assistant District Manager, Inspection Division 1										
<b>C. Establishment of the Performance Management Plan</b>											
1a. I discussed this plan with employee. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	1b. Employee written comments are attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No										
2. Employee Signature <i>Thomas V. Moore</i>	Date (mm/dd/yyyy) 11/15/2010										
3. Rating Official Signature <i>Lincoln L. Selfe</i>	Date (mm/dd/yyyy) 11-15-2010										
4. Rating Official Name (last, first, middle) Selfe, Lincoln L.	5. Rating Official Title Assistant District Manager, Inspection Division 1										
6. Reviewing Official Signature <i>Robert G. Hardman</i>	Date (mm/dd/yyyy) 11/17/2010										
7. Reviewing Official Name (last, first, middle) Hardman, Robert G.	8. Reviewing Official Title District Manager										
<b>D. Mid-Term Progress Review Certification</b>											
1. The mid-term progress review has been conducted. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, explain below)											
2. Employee Signature <i>Thomas V. Moore</i>	Date (mm/dd/yyyy) 5/6/2011										
3. Rating Official Signature <i>Lincoln L. Selfe</i>	Date (mm/dd/yyyy) 05-05-2011										
4. Rating Official Name (last, first, middle) Selfe, Lincoln L.	5. Rating Official Title ADM										
<b>E. Performance Appraisal and Rating</b>											
1. Indicate performance appraisal and rating below.											
<table border="1"> <tr> <td><input type="checkbox"/> Exemplary</td> <td>Exceed standards for all elements</td> </tr> <tr> <td><input checked="" type="checkbox"/> Highly Effective</td> <td>Exceed standards for 50% or more elements but not all; meet standards for all other elements</td> </tr> <tr> <td><input type="checkbox"/> Effective</td> <td>Meet standards for all elements and may exceed standards for less than 50% of elements</td> </tr> <tr> <td><input type="checkbox"/> Minimally Satisfactory</td> <td>Need to improve performance for one or more elements</td> </tr> <tr> <td><input type="checkbox"/> Unsatisfactory</td> <td>Fail to meet standards on one or more elements</td> </tr> </table>	<input type="checkbox"/> Exemplary	Exceed standards for all elements	<input checked="" type="checkbox"/> Highly Effective	Exceed standards for 50% or more elements but not all; meet standards for all other elements	<input type="checkbox"/> Effective	Meet standards for all elements and may exceed standards for less than 50% of elements	<input type="checkbox"/> Minimally Satisfactory	Need to improve performance for one or more elements	<input type="checkbox"/> Unsatisfactory	Fail to meet standards on one or more elements	2a. I discussed this appraisal with employee. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  2b. Employee written comments are attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> Exemplary	Exceed standards for all elements										
<input checked="" type="checkbox"/> Highly Effective	Exceed standards for 50% or more elements but not all; meet standards for all other elements										
<input type="checkbox"/> Effective	Meet standards for all elements and may exceed standards for less than 50% of elements										
<input type="checkbox"/> Minimally Satisfactory	Need to improve performance for one or more elements										
<input type="checkbox"/> Unsatisfactory	Fail to meet standards on one or more elements										
3. Purpose of Appraisal <input type="checkbox"/> Interim Rating <input checked="" type="checkbox"/> Rating of Record	7. Rating Official Signature <i>Thomas V. Moore</i>										
	Date (mm/dd/yyyy) 10/19/2011										
4. Rating Official Signature <i>Lincoln L. Selfe</i>	8. Reviewing Official Signature <i>Charles E. Carpenter</i>										
5. Rating Official Name (last, first, middle) Selfe, Lincoln L., Jr.	9. Reviewing Official Name (last, first, middle) Charles E. Carpenter										
6. Rating Official Title Assistant District Manager Inspection Division 1	10. Reviewing Official Title District Manager										

## G. Performance Summary

1. For each element, select the appropriate rating. Element ratings: E = Exceed; M = Meet; NI = Need to Improve; F = Fail

Managerial Competency Elements	Element Rating			
	E	M	NI	F
Leadership	<input checked="" type="checkbox"/>			
Resource Management	<input checked="" type="checkbox"/>			
Conflict Building and Communication	<input checked="" type="checkbox"/>			
Problem Solving and Initiative	<input checked="" type="checkbox"/>			
Equal Employment Opportunity		<input checked="" type="checkbox"/>		

Organizational Performance Elements	Element Rating			
	E	M	NI	F
Result 1		<input checked="" type="checkbox"/>		
Result 2		<input checked="" type="checkbox"/>		
Result 3		<input checked="" type="checkbox"/>		
Result 4		<input checked="" type="checkbox"/>		

## H. Other Significant Accomplishments

1. Please describe other significant accomplishments in the space below.

## I. Managerial Competency Elements

1. Leadership

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission, consistent with key Agency policies and priorities and economic, political, and social trends affecting the organization.
- Anticipates and meets the needs of clients/customers. Sets standards for customers' needs and satisfaction and meets them.
- Uses Agency performance plans and other management systems to link individual performance to outcomes and to overall organizational performance objectives.
- Promotes and maintains diverse and inclusive workforce by actively recruiting and hiring from diverse applicant pools; fostering collaboration with individuals from diverse backgrounds, perspectives, and experiences; ensuring opportunities for growth exist equitably for all employees; and providing fair and equitable recognition of accomplishments for all employees.

### Narrative

The supervisor vigorously monitors the status of all inspections with daily two-way conversation with the inspectors, office personnel and all others that are involved in the inspection process. As a result of these constant communications, if any adjustments or reassignments are deemed necessary, the supervisor makes them with great fortitude with the goals and mission of the Agency as the primary objective. The supervisor has an open door policy that promotes and provides an atmosphere that encourages input thus allowing problem solving to remain at the lowest level possible. The supervisor has developed plans for both short term goals and long term goals that adhere to key Agency policies as well as economic, social and political trends.

During the year many hours of discussions with the mine operators, compliance specialist and others have allowed for unforeseen problems to be addressed even before they became a problem. This allows the supervisor to address and handle controversy before it escalates. By continuing to stay in touch with the miners, mine operators, other enforcement agencies and other elements of the mining community, the needs of the community are anticipated and approached with a proactive attitude. By staying actively involved issues have been avoided before they became a serious problem for the miners, mining community and the Agency.

The supervisor makes regular visits, AA and FAR, to assigned mines in an effort to maintain good and open communications with miners, mine operators and inspection personnel. This professional approach has frequently prevented issues from by-passing the field office and going to the district level. The supervisor has fostered a trust and respect from miners, mine operators and inspectors that he has frequently been requested by the mine operator to assist in resolving mine problems.

The supervisor has displayed a high level of effort and qualities by implementing the overall organizational performance objective and management systems to link and enhance the ability of individuals to identify problems and give them the resources necessary to address most problems.

The supervisor leads by example and fosters a team atmosphere that improves communication and morale in the work group(s).



## 2. Resource Management

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

### Performance Standard for Meet

- Ensures that staff are appropriately selected, utilized, appraised and developed. Actively develops the talent of the staff and develops qualified candidates for positions in the organization.
- Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.
- Uses informal training, continuous managerial assessments, frequent and constructive feedback and appropriate recognition to promote staff morale and to ensure quality work products and customer service.
- Proactively works to maintain a safe workplace and to prevent accidents, injuries and illness. Resolves conflicts in a positive and constructive manner.
- Assures that the organizational budget is administered in a manner that supports the accomplishment of program goals and reflects sound financial management.
- Develops, implements, and maintains strategic and operational plans to facilitate the achievement of program responsibilities, assigned under the American Recovery and Reinvestment Act (ARRA) provisions, consistent with the Secretary's enduring vision of *Good Jobs for Everyone*. Assures that allocated ARRA funds are administered in accordance with the Department's "Operating Plans for Departmental Management Funds in the American Recovery and Reinvestment Act", and complies with Departmental requirements for accurate recording and reporting of ARRA-related activities and resource utilization.
- Actively recruits to attract and select qualified applicants with the competencies needed to successfully meet Departmental Fiscal Year 2010 hiring goals by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.

### Narrative

The supervisor is an advocate of treating everyone fairly and equitably. He promotes and encourages this policy by example. Employees have been trained as to what steps to take concerning issues of discrimination.

The supervisor uses informal training such as meetings within the work group to promote team effort and sharing knowledge and experiences of individuals to reach set goals and policies of all assigned mines.

The leadership abilities foster a team atmosphere that broadens collectivity and individually the work group's knowledge and enables the work group to meet our mission and goals.

The supervisor encourages and promotes safety of the office as well as while performing duties of the mines and facilities. This is achieved by conducting safety meetings and raising employee's awareness of their immediate environment.

The supervisor has maintained control over the resources in his assigned area of responsibility and has often during this rating period required adjusting priorities and manpower to meet deadlines and to gather mine specific information for requests from the district.

The agency's budget is administered in a manner that supports the goals and mission of the agency. This has been done with a proactive attitude involving monitoring the status of all inspection with daily two-way conversations with the inspectors and the use of key indicators on regular (ED) on-site inspection hours by day of week by inspectors.

The supervisor evaluates the employees and keys upon their strengths and weaknesses. He formulates teams utilizing the strengths of the employees and uses the teams for cross-training purposes to elevate the employee's weaknesses to result in a stronger more balanced workforce and provides a more consistent and better quality service to our stakeholders.

The supervisor has maintained control over the resources in his assigned area of responsibility and often during this rating period was required to adjust priorities and manpower to meet deadlines and to gather mine specific information for requests from the district.

**Performance Standard for Most**

- Promotes an open, communicative environment where staff can readily access resources and move forward to accomplish common goals and tasks. Handles workplace disputes promptly and effectively.
- Makes clear to staff what is expected of them both individually and as a team/group; clarifies the extent of their authority.
- Effectively represents the Department and the program agency internally and externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.

**Narrative**

There is an open relationship among employees that fosters a positive environment among the staff that allows common goals and tasks to be accomplished. There have been no workplace disputes between the employee's or the employee's and supervisor. The supervisor promotes an open, communicative environment where employees can readily access information and resources to move forward and accomplish goals and tasks. Good working relationships and communications with fair and open-minded values minimize disputes promptly and effectively.

Expectations, both individually and as a group, have been addressed many times during the year. Assignments have been fair and evenly assigned.

By having an open communication line between the mining communities, the supervisor and others in the mining community, common tasks, goals and projects have been addressed during the year. By sharing the work during the course of the year, decision making has been made easier by all the employees. The supervisor makes clear to the mine operators what is required and expected from them with prompt notification of any incident that occurs at the mine. This process has enabled the inspector to conduct his inspection/investigation in a timely report, and reduced exposure of miners to unsafe working conditions.

The supervisor has made himself readily available to the inspectors to assist and provide guidance when warranted. Through this effort, condition of the work group has been easily attained and fostered.

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4. Problem Solving and Initiative

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Stresses innovation and risk-taking. Analyzes problems and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move program forward.
- Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results.

Narrative

The supervisor has been innovative and has not hesitated in taking risks to move the Agency programs forward at any given opportunity. He accepts mistakes with the attitude as part of the developmental process.

The supervisor has worked with the technical program groups to explore and create alternative resolutions to many of the problems encountered in FY 11. By involving the technical groups, he has motivated the inspectors to develop innovative strategies to several issues and/or problems.

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5. Equal Employment Opportunity

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies. Promptly addresses allegations of prohibited discrimination, harassment, and retaliation; ensures EEO principles are adhered to throughout the organization.

Narrative

The supervisor displays a strong awareness concerning discrimination matters and compliance with EEO laws, regulations and policies. He works relentlessly to promote a better working relationship between the employees and the supervisors.

The supervisor is an advocate of treating everyone fairly and equitably. He promotes and encourages this policy by example. Employees have been trained as to what steps are to be taken concerning issues of discrimination.

The supervisor uses informal training such as meetings within the work group to promote team effort and sharing knowledge and experiences of individual efforts to reach set goals and policies of all assigned mines.

The leadership abilities foster a team atmosphere that broadens collectively and individually the workgroup's knowledge and enable the work group to meet our mission and goals.

The supervisor encourages and promotes safety at the office as well as while performing duties at the mines and facilities. This is achieved by conducting safety meetings and raising employee awareness of their immediate environment and surroundings.

All employees are treated fair and equitable.

The supervisor is an active mentor and frequently travels with the inspectors monitoring their performance and providing feedback as necessary to improve overall performance.

#### J. Organizational Performance Elements

At the beginning of the performance cycle, the rating official must provide, in Section J, four critical, results-specific elements and standards, at least one of which demonstrates linkage with the Secretary's vision of Good Jobs for Everyone that the employee will be held accountable for during the performance cycle. Each performance standard must be written at the Meets level and includes measures of performance such as quality, quantity, timeliness and cost effectiveness. Standards should be clear and not include detailed milestones or descriptions of the process and methods used to achieve the results.

In assigning a rating to each element, please rate the employee at one of the following four levels and include a written narrative as appropriate:

- Exceeds described level of performance (narrative required)
- Meets described level of performance (narrative not required)
- Needs to improve in order to meet the level of performance (narrative required)
- Fails to meet described level of performance (narrative required)

Result #1

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Outcome Goal 10 – Voice in the Workplace:

Demonstrates efforts toward the reduction of the mining fatality injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Demonstrates efforts toward the reduction of the ALL injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Monitor mine safety and health program area to ensure that citations/orders are timely terminated, and Hazard Condition Complaints are timely processed.

#### Performance Standard

Performance is satisfactory when:

A 5% reduction in FY10 from the average number of fatalities for FY2005 – FY2009.

The status of citations issued is monitored for timeliness of abatement. Performance will be measured by the degree to which the District is able to terminate citations within the period established by policy for abatement, and Hazard Condition Complaints are timely processed. Progress will be measured by using a variety of reports.

#### Narrative

The supervisor believes in firm and fair enforcement. To reduce injuries and fatalities he has instructed the inspectors to use the appropriate level of enforcement when issuing citations and orders. He reviews all citations and orders issued by the inspectors, providing oversight to ensure consistency among his workgroup.

The supervisor provided accident reports, information related to serious injuries, near misses and fatalities to be shared with the miners and operators by the inspectors, thus enhancing public relations with the mining community. This information was presented in a manner that corresponded with conditions and situations that might be present at each mine.

The inspectors have been instructed to make sure all citations/orders/safeguards are abated within the appropriate time frame.. The supervisor monitors the due dates and holds the inspectors responsible for the paperwork they issue which has resulted in very few citations going beyond the date scheduled for abatement. When any citations/orders/safeguards have been found to be past due, the issuing inspector has been immediately assigned to return to the mine and investigate to ensure the abatement has been completed.

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Result #2

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 -- Voice in the Workplace:

Demonstrates efforts toward the reduction of the fatalities and injuries in the District's Coal mines by using the MSHA Key Indicators and other reports to direct resources to monitor and improve enforcement performance and quality in accordance with the performance goals and indicators. Incumbent monitors MSHA Coal Key Indicator and other reports for performance results outside the acceptable norms and averages for the Coal Districts' unique and distinct performance levels. Incumbent understands the effects of the District's geography and work load when determining acceptable average performance baselines.

---

Performance Standard

Performance is satisfactory when:

The Incumbent demonstrates the use of the MSHA Key Indicators and other reports in the daily managerial decision-making process, demonstrates an understanding of the root causes for variances in monthly reporting, assigns responsibility for the variances, accounts for their occurrence and remedy where applicable and shares best practices with relevant MSHA employees. The incumbent must ensure that the completion rate of all ED1 inspections is 100% within their respective District. Exception to this only may be granted if the incumbent can demonstrate supporting aberrations beyond the control of the incumbent's management ability that prevented 100% completion. The completion rate of all ED1 inspections at 100% will be for all coal mines district-wide.

---

Narrative

The supervisor instills and instills in his inspectors to be firm and fair in enforcement of the Agency's policies and regulations. He has monitored and encouraged inspectors to use the appropriate level of enforcement when issuing citations and orders.

The supervisor uses the MSHA key indicators and other reports for oversight assistance and directs resources to improve enforcement performance and quality in accordance with the performance goals set by the Agency.

Key indicators are used by the supervisor in the daily decision making process by the supervisor high level of understanding the root cause discrepancies in monthly reporting. The supervisor encourages the use of the data retrieval system and mine profile program that will help develop an inspection profile and/or strategy that meets the Agency's mission and goal.

---

Result #3

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 -- Voice in the Workplace:

Take appropriate action to ensure the District achieves a 2% reduction from the previous year for dust and noise sample results exceeding the allowable limits.

---

Performance Standard

Performance is satisfactory when:

All entities are sampled for Respirable dust 4x/yr for underground and 2x/year for surface in addition to conducting focused inspections to target the most egregious and persistent violators; initiate systematic reviews of the quality of dust controls in approved mine ventilation and dust control plans to foster continuous improvement. Conduct a noise survey for each entity (both underground and surface) 1x a year.

---

Narrative

The supervisor ensured that all respirable dust sampling was conducted at 100% for underground and surface mines for FY 10. The GPRA dust standard target for the field office was exceeded in all four quarters which greatly enhanced the assigned target for the District GPRA goals.

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**Result #4**☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 – Voice in the Workplace:

Use all available tools in an effort to reduce and/or eliminate the inconsistent enforcement of MSHA regulations, the Mine Act and the MINER Act.

Use all available tools in an effort to reduce and/or eliminate the deficiencies identified in Accountability, District and Peer reviews. Incumbent will review findings noted in such reviews and timely implement corrective actions.

---

**Performance Standard**

Performance is met when:

- (1) MSHA handbook, policy and procedures have been followed;
  - (2) Required Mine visits are completed;
  - (3) Demonstrated efforts have been made to reduce or eliminate repeat audit findings and personnel are trained as necessary;
  - (4) Field Activity and Second Level reviews are accurately completed and all deficiencies are addressed;
  - (5) There are clear demonstrated efforts made to help assure consistency in citations/orders issued;
  - (6) Hazard Condition Complaints are timely processed; and
  - (7) Conferences and contested cases are conducted in accordance with MSHA handbook, policy and procedural guidance. All reductions or changes by a District CLR during conferences or contested cases have been made with good reason and clear documentation provided. All settlement proposals have been reviewed and approved by MSHA management prior to settlement and proper documentation maintained.
- 

**Narrative**

The supervisor uses all available tools and resources to eliminate the inconsistent enforcement of MSHA regulations, the Mine Act and the Miner Act.

The supervisor meticulously monitors all reports to ensure consistency in an effort to reduce and/or eliminate the deficiencies in accountability, district and peer reviews. He exhibits a high degree of understanding of MSHA handbooks, policy and procedures. He makes regular mine visits, AA and FAR, at assigned mines in an effort to maintain good and open communication with miners, mine operators and inspection personnel. The professional approach has frequently prevented issues from bypassing the field office and going to the district level. These are conducted in accordance with MSHA handbook, policy and procedural guidance. The supervisor has displayed a high level of effort and qualities by implementing the overall organizational performance objectives and management systems to enhance the ability of individuals to identify problems and give them the resources necessary to address the problems when responding to hazardous conditions complaints and process them in a timely manner.

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TAB 6  
ATTACHMENT 1: WORKSHEET  
General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

Managerial Competency Element: Leadership

Tom Moore 10/7/11 FY 11  
E

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 1: Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission and to improve performance consistent with key organizational policies and priorities and economic, political, and social trends affecting the organization.	Strategic Planning Support for Leadership Organizational Performance	<ul style="list-style-type: none"> <li>• Demonstrates extensive awareness and understanding of the Department's mission and strategic vision.</li> <li>• Actively works to develop and/or implement forward-looking strategic plans that maximize the Agency's ability to achieve its objectives.</li> <li>• Employs innovative uses of Agency resources and technologies to meet performance indicators under its strategic plan.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>• Can effectively communicate and manage the implementation of results-oriented strategic plans to achieve the Agency's goals.</li> <li>• Demonstrates an understanding of the Agency's performance indicators.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 2: Anticipates and meets the needs of clients/customers to provide better service. <ul style="list-style-type: none"> <li>• Sets standards for customer needs and satisfaction, and meets them.</li> <li>• Uses effective business practices including balanced measures to consider customer, stakeholder, and employee perspectives.</li> </ul>	Customer Service	<ul style="list-style-type: none"> <li>• Provides the highest quality service to Agency customers, stakeholders, and employees by anticipating, addressing, and proactively managing current and future needs.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>• Consistently anticipates and meets customers' needs and satisfies standards for effective customer service.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 3: Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results that promote innovation, efficiency, and greater effectiveness.	Innovation & Risk	<ul style="list-style-type: none"> <li>• Engenders a culture that encourages employees to take calculated risks to improve performance.</li> </ul> <input type="checkbox"/>	<ul style="list-style-type: none"> <li>• Accepts employees' reasonable mistakes as part of the development process.</li> </ul> <input checked="" type="checkbox"/>		<input type="checkbox"/>

N/R = Not Rated

TAB 6  
ATTACHMENT 1: WORKSHEET

General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 4: Links individual performance requirements to key organizational goals.</p> <ul style="list-style-type: none"> <li>Incorporates organizational performance results into decisions about individual performance ratings and recognition.</li> <li>Makes meaningful distinctions between levels of performance in ratings. Recognizes subordinate performance and teamwork.</li> </ul>	<p>Leadership Support Reward &amp; Recognition Teamwork Individual Performance</p>	<ul style="list-style-type: none"> <li>Shares recognition and routinely rewards colleagues' accomplishments.</li> <li>Repeatedly demonstrates an ability to link individual with Departmental and agency performance requirements.</li> <li>Effectively uses agency and interagency teams to achieve agency outcomes.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Provides opportunities for individual and team development.</li> <li>Appropriately uses available performance, reward and recognition systems.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 5: Promotes and adheres to the highest ethical standards of public service.</p>	Ethics	<ul style="list-style-type: none"> <li>Acts as a model of integrity personally and establishes an organizational culture that sets expectations of the highest ethical standards of public service among subordinate staff.</li> </ul> <input type="checkbox"/>	<ul style="list-style-type: none"> <li>Adheres personally to the highest ethical standards of public service and encourages ethical behavior among subordinate staff.</li> </ul> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6  
ATTACHMENT 1: WORKSHEET  
General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

Managerial Competency Element: Resource Management

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 1: Understands the organization's financial processes.</p> <ul style="list-style-type: none"> <li>Prepares, justifies, and administers the program budget.</li> <li>Oversees procurement and contracting to achieve desired results.</li> <li>Monitors expenditures and uses cost-benefit thinking to set priorities.</li> <li>Develops and implements strategies to reduce erroneous and late payments, prevent Anti-deficiency Act violations, and ensure adequate management controls.</li> </ul>	Financial Management	<ul style="list-style-type: none"> <li>Displays an exceptional level of awareness and concern for agency expenditures and financial priorities.</li> <li>Through teamwork and institutional knowledge, leverages agency resources to achieve maximum results.</li> <li>Engages in the identification of cost saving strategies and efficiencies.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Manages agency resources through the utilization and administration of appropriate budget processes and requirements.</li> <li>Makes decisions based on the agency's financial priorities and expenditures.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 2: Actively recruits to attract and select qualified applicants with the competencies needed by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.</p>	Hiring/Diversity	<ul style="list-style-type: none"> <li>Manages this with an acute understanding of available hiring flexibilities and utilizes them in order to attract and select qualified applicants.</li> <li>Sets and meets hiring goals to maintain strength and reduce lapsed FTE.</li> </ul> <input type="checkbox"/>	<ul style="list-style-type: none"> <li>Applies merit principles to develop, select, and manage a diverse workforce.</li> </ul> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 3: Understands the impact of technological developments on the organization.</p> <ul style="list-style-type: none"> <li>Makes effective use of technology to achieve results.</li> <li>Ensures access to and security of technology systems.</li> </ul>	Technology & Modernization	<ul style="list-style-type: none"> <li>Identifies and creatively utilizes current and new technologies to maximize the agency's ability to achieve its priorities.</li> <li>Encourages the use of technology to share information and engage stakeholders.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Appropriately utilizes and upgrades technologies to meet agency goals.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 4: Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and OOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.	Fair Labor Standards Act	<ul style="list-style-type: none"> <li>In addition, develops and implements strategies that reliably document compliance with FLSA, supplemented by an awareness of staff hours worked to corroborate the effectiveness of these controls. <input checked="" type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>Makes the Fair Labor Standards Act (FLSA) and DOL policy available to employees and management and conveys expectations for compliance. <input type="checkbox"/></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

Managerial Competency Element: Coalition Building and Communication

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 1: Promotes an open, communicative environment that inspires and encourages service motivation, spirit, pride, and trust. <ul style="list-style-type: none"> <li>Facilitates cooperation and motivates individual staff members/teams to accomplish organizational goals.</li> <li>Manages and resolves conflicts in a positive and constructive manner.</li> </ul>	Communication & Morale	<ul style="list-style-type: none"> <li>Sets an example of accessibility and transparency.</li> <li>Fosters and reinforces a collaborative and engaged environment that inspires and encourages service, motivation, spirit, pride and trust. <input checked="" type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>Manages an open, communicative environment that serves the agency's mission. <input type="checkbox"/></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 2: Effectively represents the Department and the organization internally and/or externally. <ul style="list-style-type: none"> <li>Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.</li> </ul>	Internal & External Relations	<ul style="list-style-type: none"> <li>Serves as an effective, reliable, and persuasive representative of the agency and Department of Labor on virtually all matters internal and external to the agency. <input checked="" type="checkbox"/></li> </ul>	<ul style="list-style-type: none"> <li>Serves as an effective representative of his/her immediate agency/office. <input type="checkbox"/></li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6  
ATTACHMENT 1: WORKSHEET  
General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

Managerial Competency Element: Problem Solving and Initiative e

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 1: Stresses innovation, creativity, and risk-taking.</p> <ul style="list-style-type: none"> <li>Analyzes problems and develops alternative solutions, emphasizing new approaches.</li> <li>Takes calculated risks to move programs forward.</li> </ul>	Innovation & Risk	<ul style="list-style-type: none"> <li>Clearly demonstrates initiative and ability to explore and create alternative solutions to problems.</li> <li>Encourages, promotes, and supports innovative strategies among subordinates.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>An effective problem solver.</li> <li>Recognizes innovation.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Managerial Competency Element: Equal Employment Opportunity and Diversity m

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 1: Promotes and maintains a diverse and inclusive workforce.</p> <ul style="list-style-type: none"> <li>Actively recruits and hires from diverse applicant pools.</li> <li>Fosters collaboration with individuals from diverse backgrounds, perspectives, and experience.</li> <li>Ensures that opportunities for growth exist equitably for all employees.</li> <li>Provides fair and equitable recognition of accomplishments for all employees.</li> </ul>	Diversity	<ul style="list-style-type: none"> <li>Promotes and manages an inclusive workforce by championing diversity as a value in all aspects of the agency.</li> <li>Practices effective recruitment efforts to increase the pool of quality candidates from underrepresented groups.</li> <li>Promotes diversity at all grade levels.</li> </ul> <input type="checkbox"/>	<ul style="list-style-type: none"> <li>Takes diversity into account while ensuring fair and nondiscriminatory recruitment, hiring, promotion and recognition.</li> </ul> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6  
ATTACHMENT 1: WORKSHEET

General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 2: Builds, trains, and manages workforce based on organizational goals, budget considerations, and staffing needs.</p> <ul style="list-style-type: none"> <li>Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies.</li> <li>Promptly addresses allegations of prohibited discrimination, harassment, and retaliation. Ensures that EEO principles are adhered to throughout the organization.</li> </ul>	Talent Management Diversity	<ul style="list-style-type: none"> <li>Displays the highest commitment to the identification and/or recruitment, development, promotion and retention of diverse and talented individuals to build leadership capacity throughout the agency.</li> <li>Is an active mentor and gives clear and actionable feedback to subordinates.</li> <li>Upholds EEO principles.</li> <li>Actively encourages and participates in succession planning.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Manages the workforce to meet the needs of the agency by taking into account EEO principles, succession planning, diversity, recruitment, and training.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

U.S. Department of Labor

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22204-3028



MAR 07 2013

MEMORANDUM FOR JOHN MORAN

Deputy Assistant Secretary  
Veterans Employment and Training Service

FROM:

JOSEPH A. MAIN  
Assistant Secretary of Labor for  
Mine Safety and Health

A handwritten signature in black ink, appearing to read "Joseph A. Main", is written over the typed name and title.

SUBJECT:

Delegation of Authority

Pursuant to DOL Personnel Regulation (DPR) 771, Section 3.b.1.a, I am delegating to you the authority to make determinations and to serve as the Deciding Official on behalf of the Mine Safety and Health Administration (MSHA) concerning administrative grievances which may be filed by employees Lincoln Selfe, Donald Winston, and Charles Thomas. The grievances would be related to the disciplinary actions these individuals received for failure to carry out official duties. The purpose of this delegation is to expedite grievance processing.

Please contact Ms. Donna Kramer, Supervisory Human Resources Specialist, at 202-693-7686, if you have any questions about the foregoing.

DLB-2255-00065

U.S. Department of Labor

John F. Kennedy Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22204-3000



MAR 07 2013

MEMORANDUM FOR JOHN MORAN  
Deputy Assistant Secretary  
Veterans Employment and Training Service

FROM: JOSEPH A. MAIN   
Assistant Secretary of Labor for  
Mine Safety and Health

SUBJECT: Delegation of Authority

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U.S. Department of Labor

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



MAR 07 2013

MEMORANDUM FOR JOHN MORAN

Deputy Assistant Secretary  
Veterans Employment and Training Service

FROM:

JOSEPH A. MAIN  
Assistant Secretary of Labor for  
Mine Safety and Health

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Please contact Ms. Donna Kramer, Supervisory Human Resources Specialist, at 202-693-7686, if you have any questions about the foregoing.

You can now file your MSHA forms online at [www.MSHA.gov](http://www.MSHA.gov). It's easy, it's fast, and it saves you money!

DLB-2255-00067

U.S. Department of Labor

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Washington, Virginia 22002-4302



MAR 07 2013

MEMORANDUM FOR JOHN MORAN

Deputy Assistant Secretary  
Veterans Employment and Training Service

FROM:

JOSEPH A. MAIN  
Assistant Secretary of Labor for  
Mine Safety and Health

A handwritten signature of Joseph A. Main is written over the typed name and title.

SUBJECT:

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Please contact Ms. Donna Kramer, Supervisory Human Resources Specialist, at 202-693-7686, if you have any questions about the foregoing.

DLB-2255-00068

# NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) <b>SELF JR, LINCOLN L</b>	2. Social Security Number <b>Redacted - Privacy</b>	3. Date of Birth <b>Redacted - Privacy</b>	4. Effective Date <b>01/03/10</b>
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## FIRST ACTION

5-A. Code <b>894</b>	5-B. Nature of Action <b>GEN ADJ</b>
5-C. Code <b>QWM</b>	5-D. Legal Authority <b>REG 531.207</b>
5-E. Code <b>ZLAI</b>	5-F. Legal Authority <b>E.O. 13525</b>

## SECOND ACTION

6-A. Code	6-B. Nature of Action
6-C. Code	6-D. Legal Authority
6-E. Code	6-F. Legal Authority

## 7. FROM: Position Title and Number

15. TO: Position Title and Number  
**SUPERVISORY MINE SAFETY AND HEALTH INS  
CBP11401 SL0011**

8. Pay Plan	9. Gen. Code	10. Grade/Level	11. Step/Rate	12. Total Salary	13. Pay Grade	14. Pay Plan	17. Gen. Code	18. Grade/Level	19. Step/Rate	20. Total Salary/Award	21. Pay Grade
				<b>120,351.00</b>	<b>PA</b>	<b>GS</b>	<b>1822</b>	<b>14</b>	<b>89</b>	<b>122,472.00</b>	<b>PA</b>
12A. Basic Pay	12B. Locality Adj.	12C. Adj. Basic Pay	12D. Other Pay	14A. Basic Pay	14B. Locality Adj.	14C. Adj. Basic Pay	14D. Other Pay				
<b>105,701.00</b>	<b>14,650.00</b>	<b>120,351.00</b>	<b>.00</b>	<b>107,281.00</b>	<b>15,191.00</b>	<b>122,472.00</b>	<b>.00</b>				

## 14. Name and Location of Position's Organization

22. Name and Location of Position's Organization  
**MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF THE ASSISTANT SECRET  
OF THE ADMINISTRATOR FOR C  
COAL, DIST. 4 INSPECTION DIVISION  
  
DL 3110105090-1000000000 PP 01 2010**

## EMPLOYEE DATA

23. Veterans Preference <b>1</b> 1 - None 2 - 5% (10% if Disabled) 3 - 10% (15% if Disabled) 4 - 15% (20% if Disabled)	24. Tenure <b>1</b> 1 - None 2 - Continued 3 - Probationary 4 - Indefinite	25. Agency Use	26. Veterans Preference for RIF <b>YES X NO</b>
27. FEGLI <b>Z5</b> BASIC-STANDARD-SX ADDITIONAL-SX FAMI	28. Annuitant Indicator <b>9</b> NOT APPLICABLE	29. Pay Rate Determinant <b>0</b>	30. Part-Time Hours Per Bimonthly Pay Period
31. Retirement Plan <b>1</b> CS	32. Service Comp. Date (Leave) <b>09/29/82</b>	33. Work Schedule <b>F</b> FULL TIME	34. Bargaining Unit Status <b>8888</b>

## POSITION DATA

35. Position Occupied <b>1</b> 1 - Corporate Activity 2 - Support Services 3 - SES General 4 - SES Career Development	36. FLSA Category <b>E</b> E - Exempt N - Non-exempt	37. Appropriation Code	38. Duty Station Code <b>54-1870-019</b>
39. Duty Station (City - County - State or Overseas Location) <b>MOUNT HOPE FAYETTE WV</b>	40. Agency Data	41.	42.
43.	44.	45.	46.

## 45. Remarks

**FEDERAL PAY INCREASE DUE TO E.O. 13525 SIGNED 12/23/09  
SALARY INCLUDES A GENERAL INCREASE OF 1.5% ROUNDED AND A LOCALITY  
PAYMENT (OR OTHER GEOGRAPHIC ADJUSTMENT) APPLICABLE IN THIS AREA.**

46. Employing Department or Agency <b>DEPARTMENT OF LABOR</b>	47. Signature/Authentication and Title of Approving Official <b>E/S BY: CRYSTAL L. GUY HUMAN RESOURCES OFFICER</b>
47. Agency Code <b>DL M1</b>	48. Personnel Office ID <b>3392</b>
49. Approval Date <b>12/23/09</b>	

**U.S. Department of Labor**

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



**JUL 11 2013**

**MEMORANDUM FOR JOHN MORAN**

Deputy Assistant Secretary  
Veterans Employment and Training Service

*Joseph A. Main*

**FROM:**

**JOSEPH A. MAIN**  
Assistant Secretary of Labor for  
Mine Safety and Health

**SUBJECT:**

Delegation of Authority

Pursuant to DOL Personnel Regulation (DPR) 771, Section 3.b.1.a, I am delegating to you the authority to make determinations and to serve as the Deciding Official on behalf of the Mine Safety and Health Administration (MSHA) concerning an administrative grievance which may be filed by employee Jerome W. Bonner. The grievance would be related to a disciplinary action this individual received for inappropriate conduct. The purpose of this delegation is to expedite grievance processing.

Please contact Ms. Donna Kramer, Supervisory Human Resources Specialist, at 202-693-7886, if you have any questions about the foregoing.

**U.S. Department of Labor**

Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, Virginia 22209-3939



JUL 11 2013

MEMORANDUM FOR JOHN MORAN

Deputy Assistant Secretary  
Veterans Employment and Training Service

*Joseph A. Main*

FROM: JOSEPH A. MAIN  
Assistant Secretary of Labor for  
Mine Safety and Health

SUBJECT: Delegation of Authority

Pursuant to DOL Personnel Regulation (DPR) 771, Section 3.b.1.a, I am delegating to you the authority to make determinations and to serve as the Deciding Official on behalf of the Mine Safety and Health Administration (MSHA) concerning an administrative grievance which may be filed by employee Jerome W. Bonner. The grievance would be related to a disciplinary action this individual received for inappropriate conduct. The purpose of this delegation is to expedite grievance processing.

Please contact Ms. Donna Kramer, Supervisory Human Resources Specialist, at 202-693-7686, if you have any questions about the foregoing.

You can now file your MSHA forms online at [www.MSHA.gov](http://www.MSHA.gov). It's easy, it's fast, and it saves you money!

DLB-2255-00071

John K. Moran  
Deputy Assistant Secretary  
Veterans' Employment and Training Services  
200 Constitution Ave., NW  
Room S 1325  
Washington, DC 20210

The time limit for filing a grievance may be extended for good cause by mutual agreement between you and Mr. Moran.

If you believe this action was taken in reprisal for whistleblowing, you may raise the matter by filing a MSPB appeal as outlined above, or by filing a complaint with the Office of Special Counsel. The Office of Special Counsel will investigate your complaint and will either file an action on your behalf or notify you of your right to file an Individual Right of Action appeal to the MSPB. A complaint may be filed electronically at [www.osc.gov](http://www.osc.gov), or may be filed in writing by filling out Form OSC-11, and faxing or mailing the completed form to the Office of Special Counsel at the following address or fax number:

Complaint Examining Unit  
Office of Special Counsel  
1730 M Street NW, Suite 218  
Washington, DC 20036-4505  
Fax: 202-254-3711

If you feel that you have been discriminated against because of race, religion, color, age, sex, national origin, or disability, you may file an equal employment opportunity (EEO) complaint with the U.S. Department of Labor. If you file an EEO complaint with the U.S. Department of Labor, you should submit it to the Civil Rights Center, Room N-4123, 200 Constitution Avenue, N.W., Washington, DC 20212.

You have the right to be represented by an attorney or other representative of your choice so long as there is no conflict of interest to the agency. However, you must designate your choice of representative in writing to Mr. Moran. Any choice must include your representative's name, address, and phone number.

You are entitled to a reasonable amount of duty time to prepare and present a grievance if otherwise in a duty status. You must request and receive approval from your immediate supervisor for the use of duty time for this purpose.

If there is anything in this notice that you do not understand or if you have a question about the process used, please contact Ms. Donna Kramer, Supervisory Human Resources Specialist, at 202-693-7686.

# NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) NEIL F. JR. LINCOLN E.	2. Social Security Number Redacted - Privacy	3. Date of Birth Redacted - Privacy	4. Effective Date 02/14/13
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## FIRST ACTION

5-A. Code 703	5-B. Nature of Action PROMOTION NTE 03/26/13
5-C. Code NEM	5-D. Legal Authority REC 135 102 EXCEPT
5-E. Code	5-F. Legal Authority

## SECOND ACTION

6-A. Code	6-B. Nature of Action
6-C. Code	6-D. Legal Authority
6-E. Code	6-F. Legal Authority

7. Position Title and Number  
SUPERVISORY MINE SAFETY AND HEALTH INS

8. Pay Plan  
FBI11401 SL0011

9. Pay Plan	9. Grade/Level	10. Grade/Level	11. Step/Rate	12. Total Salary	13. Pay Basis	14. Pay Plan	15. Occ. Code	16. Grade/Level	17. Step/Rate	18. Total Salary Award	19. Pay Basis
	14	10	10	125,695.00	PA	GS	1821	15	05	132,692.00	PA
12A. Basic Pay	12B. Locality Adj.	12C. Adj. Basic Pay	12D. Other Pay	20A. Basic Pay	20B. Locality Adj.	20C. Adj. Basic Pay	20D. Other Pay				
110,104.00	15,491.00	125,695.00	.00	116,233.00	16,459.00	132,692.00	.00				

14. Name and Location of Position's Organization  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF THE ASSISTANT SECRET  
OPC OF THE ADMINISTRATOR FOR C  
COAL DISTRICT 4 INSPECTION DIVISIO

15. TO: Position Title and Number  
SUPERVISORY MINE SAFETY AND HEALTH SPE  
00018808 PP0315

22. Name and Location of Position's Organization  
MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF THE ASSISTANT SECRET  
OPC OF THE ADMINISTRATOR FOR C  
COAL DISTRICT 4 OFFICE, MT. HO

DL M00186090000000000 PP 04 1813

## EMPLOYEE DATA

23. Veterans Preference 1. Name 2. Grade/Level 3. Pay Basis 4. Pay Basis 5. Pay Basis 6. Pay Basis 7. Pay Basis 8. Pay Basis 9. Pay Basis 10. Pay Basis 11. Pay Basis 12. Pay Basis 13. Pay Basis 14. Pay Basis 15. Pay Basis 16. Pay Basis 17. Pay Basis 18. Pay Basis 19. Pay Basis 20. Pay Basis 21. Pay Basis 22. Pay Basis 23. Pay Basis 24. Pay Basis 25. Pay Basis 26. Pay Basis 27. Pay Basis 28. Pay Basis 29. Pay Basis 30. Pay Basis 31. Pay Basis 32. Pay Basis 33. Pay Basis 34. Pay Basis 35. Pay Basis 36. Pay Basis 37. Pay Basis 38. Pay Basis 39. Pay Basis 40. Pay Basis 41. Pay Basis 42. Pay Basis 43. Pay Basis 44. Pay Basis 45. Pay Basis 46. Pay Basis 47. Pay Basis 48. Pay Basis 49. Pay Basis 50. Pay Basis 51. Pay Basis 52. Pay Basis 53. Pay Basis 54. Pay Basis 55. Pay Basis 56. Pay Basis 57. Pay Basis 58. Pay Basis 59. Pay Basis 60. Pay Basis 61. Pay Basis 62. Pay Basis 63. Pay Basis 64. Pay Basis 65. Pay Basis 66. Pay Basis 67. Pay Basis 68. Pay Basis 69. Pay Basis 70. Pay Basis 71. Pay Basis 72. Pay Basis 73. Pay Basis 74. Pay Basis 75. Pay Basis 76. Pay Basis 77. Pay Basis 78. Pay Basis 79. Pay Basis 80. Pay Basis 81. Pay Basis 82. Pay Basis 83. Pay Basis 84. Pay Basis 85. Pay Basis 86. Pay Basis 87. Pay Basis 88. Pay Basis 89. Pay Basis 90. Pay Basis 91. Pay Basis 92. Pay Basis 93. Pay Basis 94. Pay Basis 95. Pay Basis 96. Pay Basis 97. Pay Basis 98. Pay Basis 99. Pay Basis 100. Pay Basis	24. Tenure 1. Tenure 2. Tenure 3. Tenure 4. Tenure 5. Tenure 6. Tenure 7. Tenure 8. Tenure 9. Tenure 10. Tenure 11. Tenure 12. Tenure 13. Tenure 14. Tenure 15. Tenure 16. Tenure 17. Tenure 18. Tenure 19. Tenure 20. Tenure 21. Tenure 22. Tenure 23. Tenure 24. Tenure 25. Tenure 26. Tenure 27. Tenure 28. Tenure 29. Tenure 30. Tenure 31. Tenure 32. Tenure 33. Tenure 34. Tenure 35. Tenure 36. Tenure 37. Tenure 38. Tenure 39. Tenure 40. Tenure 41. Tenure 42. Tenure 43. Tenure 44. Tenure 45. Tenure 46. Tenure 47. Tenure 48. Tenure 49. Tenure 50. Tenure 51. Tenure 52. Tenure 53. Tenure 54. Tenure 55. Tenure 56. Tenure 57. Tenure 58. Tenure 59. Tenure 60. Tenure 61. Tenure 62. Tenure 63. Tenure 64. Tenure 65. Tenure 66. Tenure 67. Tenure 68. Tenure 69. Tenure 70. Tenure 71. Tenure 72. Tenure 73. Tenure 74. Tenure 75. Tenure 76. Tenure 77. Tenure 78. Tenure 79. Tenure 80. Tenure 81. Tenure 82. Tenure 83. Tenure 84. Tenure 85. Tenure 86. Tenure 87. Tenure 88. Tenure 89. Tenure 90. Tenure 91. Tenure 92. Tenure 93. Tenure 94. Tenure 95. Tenure 96. Tenure 97. Tenure 98. Tenure 99. Tenure 100. Tenure	25. Agency Use 1. Agency Use 2. Agency Use 3. Agency Use 4. Agency Use 5. Agency Use 6. Agency Use 7. Agency Use 8. Agency Use 9. Agency Use 10. Agency Use 11. Agency Use 12. Agency Use 13. Agency Use 14. Agency Use 15. Agency Use 16. Agency Use 17. Agency Use 18. Agency Use 19. Agency Use 20. Agency Use 21. Agency Use 22. Agency Use 23. Agency Use 24. Agency Use 25. Agency Use 26. Agency Use 27. Agency Use 28. Agency Use 29. Agency Use 30. Agency Use 31. Agency Use 32. Agency Use 33. Agency Use 34. Agency Use 35. Agency Use 36. Agency Use 37. Agency Use 38. Agency Use 39. Agency Use 40. Agency Use 41. Agency Use 42. Agency Use 43. Agency Use 44. Agency Use 45. Agency Use 46. Agency Use 47. Agency Use 48. Agency Use 49. Agency Use 50. Agency Use 51. Agency Use 52. Agency Use 53. Agency Use 54. Agency Use 55. Agency Use 56. Agency Use 57. Agency Use 58. Agency Use 59. Agency Use 60. Agency Use 61. Agency Use 62. Agency Use 63. Agency Use 64. Agency Use 65. Agency Use 66. Agency Use 67. Agency Use 68. Agency Use 69. Agency Use 70. Agency Use 71. Agency Use 72. Agency Use 73. Agency Use 74. Agency Use 75. Agency Use 76. Agency Use 77. Agency Use 78. Agency Use 79. Agency Use 80. Agency Use 81. Agency Use 82. Agency Use 83. Agency Use 84. Agency Use 85. Agency Use 86. Agency Use 87. Agency Use 88. Agency Use 89. Agency Use 90. Agency Use 91. Agency Use 92. Agency Use 93. Agency Use 94. Agency Use 95. Agency Use 96. Agency Use 97. Agency Use 98. Agency Use 99. Agency Use 100. Agency Use	26. Veterans Preference for R1+ 1. YES 2. NO 3. YES 4. NO 5. YES 6. NO 7. YES 8. NO 9. YES 10. NO 11. YES 12. NO 13. YES 14. NO 15. YES 16. NO 17. YES 18. NO 19. YES 20. NO 21. YES 22. NO 23. YES 24. NO 25. YES 26. NO 27. YES 28. NO 29. YES 30. NO 31. YES 32. NO 33. YES 34. NO 35. YES 36. NO 37. YES 38. NO 39. YES 40. NO 41. YES 42. NO 43. YES 44. NO 45. YES 46. NO 47. YES 48. NO 49. YES 50. NO 51. YES 52. NO 53. YES 54. NO 55. YES 56. NO 57. YES 58. NO 59. YES 60. NO 61. YES 62. NO 63. YES 64. NO 65. YES 66. NO 67. YES 68. NO 69. YES 70. NO 71. YES 72. NO 73. YES 74. NO 75. YES 76. NO 77. YES 78. NO 79. YES 80. NO 81. YES 82. NO 83. YES 84. NO 85. YES 86. NO 87. YES 88. NO 89. YES 90. NO 91. YES 92. NO 93. YES 94. NO 95. YES 96. NO 97. YES 98. NO 99. YES 100. NO
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## POSITION DATA

34. Position Description 1. Position Description 2. Position Description 3. Position Description 4. Position Description 5. Position Description 6. Position Description 7. Position Description 8. Position Description 9. Position Description 10. Position Description 11. Position Description 12. Position Description 13. Position Description 14. Position Description 15. Position Description 16. Position Description 17. Position Description 18. Position Description 19. Position Description 20. Position Description 21. Position Description 22. Position Description 23. Position Description 24. Position Description 25. Position Description 26. Position Description 27. Position Description 28. Position Description 29. Position Description 30. Position Description 31. Position Description 32. Position Description 33. Position Description 34. Position Description 35. Position Description 36. Position Description 37. Position Description 38. Position Description 39. Position Description 40. Position Description 41. Position Description 42. Position Description 43. Position Description 44. Position Description 45. Position Description 46. Position Description 47. Position Description 48. Position Description 49. Position Description 50. Position Description 51. Position Description 52. Position Description 53. Position Description 54. Position Description 55. Position Description 56. Position Description 57. Position Description 58. Position Description 59. Position Description 60. Position Description 61. Position Description 62. Position Description 63. Position Description 64. Position Description 65. Position Description 66. Position Description 67. Position Description 68. Position Description 69. Position Description 70. Position Description 71. Position Description 72. Position Description 73. Position Description 74. Position Description 75. Position Description 76. Position Description 77. Position Description 78. Position Description 79. Position Description 80. Position Description 81. Position Description 82. Position Description 83. Position Description 84. Position Description 85. Position Description 86. Position Description 87. Position Description 88. Position Description 89. Position Description 90. Position Description 91. Position Description 92. Position Description 93. Position Description 94. Position Description 95. Position Description 96. Position Description 97. Position Description 98. Position Description 99. Position Description 100. Position Description	35. FLSA Category 1. E 2. F 3. G 4. H 5. I 6. J 7. K 8. L 9. M 10. N 11. O 12. P 13. Q 14. R 15. S 16. T 17. U 18. V 19. W 20. X 21. Y 22. Z 23. AA 24. AB 25. AC 26. AD 27. AE 28. AF 29. AG 30. AH 31. AI 32. AJ 33. AK 34. AL 35. AM 36. AN 37. AO 38. AP 39. AQ 40. AR 41. AS 42. AT 43. AU 44. AV 45. AW 46. AX 47. AY 48. AZ 49. BA 50. BB 51. BC 52. BD 53. BE 54. BF 55. BG 56. BH 57. BI 58. BJ 59. BK 60. BL 61. BM 62. BN 63. BO 64. BP 65. BQ 66. BR 67. BS 68. BT 69. BU 70. BV 71. BW 72. BX 73. BY 74. BZ 75. CA 76. CB 77. CC 78. CD 79. CE 80. CF 81. CG 82. CH 83. CI 84. CJ 85. CK 86. CL 87. CM 88. CN 89. CO 90. CP 91. CQ 92. CR 93. CS 94. CT 95. CU 96. CV 97. CW 98. CX 99. CY 100. CZ	36. Appropriation Code 1. 1 2. 2 3. 3 4. 4 5. 5 6. 6 7. 7 8. 8 9. 9 10. 10 11. 11 12. 12 13. 13 14. 14 15. 15 16. 16 17. 17 18. 18 19. 19 20. 20 21. 21 22. 22 23. 23 24. 24 25. 25 26. 26 27. 27 28. 28 29. 29 30. 30 31. 31 32. 32 33. 33 34. 34 35. 35 36. 36 37. 37 38. 38 39. 39 40. 40 41. 41 42. 42 43. 43 44. 44 45. 45 46. 46 47. 47 48. 48 49. 49 50. 50 51. 51 52. 52 53. 53 54. 54 55. 55 56. 56 57. 57 58. 58 59. 59 60. 60 61. 61 62. 62 63. 63 64. 64 65. 65 66. 66 67. 67 68. 68 69. 69 70. 70 71. 71 72. 72 73. 73 74. 74 75. 75 76. 76 77. 77 78. 78 79. 79 80. 80 81. 81 82. 82 83. 83 84. 84 85. 85 86. 86 87. 87 88. 88 89. 89 90. 90 91. 91 92. 92 93. 93 94. 94 95. 95 96. 96 97. 97 98. 98 99. 99 100. 100	37. Bargaining Unit Status 1. 1 2. 2 3. 3 4. 4 5. 5 6. 6 7. 7 8. 8 9. 9 10. 10 11. 11 12. 12 13. 13 14. 14 15. 15 16. 16 17. 17 18. 18 19. 19 20. 20 21. 21 22. 22 23. 23 24. 24 25. 25 26. 26 27. 27 28. 28 29. 29 30. 30 31. 31 32. 32 33. 33 34. 34 35. 35 36. 36 37. 37 38. 38 39. 39 40. 40 41. 41 42. 42 43. 43 44. 44 45. 45 46. 46 47. 47 48. 48 49. 49 50. 50 51. 51 52. 52 53. 53 54. 54 55. 55 56. 56 57. 57 58. 58 59. 59 60. 60 61. 61 62. 62 63. 63 64. 64 65. 65 66. 66 67. 67 68. 68 69. 69 70. 70 71. 71 72. 72 73. 73 74. 74 75. 75 76. 76 77. 77 78. 78 79. 79 80. 80 81. 81 82. 82 83. 83 84. 84 85. 85 86. 86 87. 87 88. 88 89. 89 90. 90 91. 91 92. 92 93. 93 94. 94 95. 95 96. 96 97. 97 98. 98 99. 99 100. 100
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40. Agency Code	41	42	43	44
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## 45. Remarks

The employee was informed in advance of the condition(s) of this position.  
Merit Staffing Exception.  
This position is outside the bargaining unit.  
Position is at the full performance level.

46. Employing Department or Agency

DEPARTMENT OF LABOR

47. Agency Code

00 MH

48. Personnel Office ID

1192

49. Approval Date

02/16/13

50. Signature Authentication and Title of Approving Official

ES BY: CRYSTAL L. GUY

HUMAN RESOURCES OFFICER

POSITION DESCRIPTION (Please Read Instructions on the Back) C-01-4-46 SLODII										1. Agency Position No. 23011401	
2. Person to be Classified		3. Service		4. Employing Office Location		5. Duty Station		6. CPM Certification No.		7. Subject to Action	
<input checked="" type="checkbox"/> Redescription	<input type="checkbox"/> New	<input type="checkbox"/> Hdqrs.	<input checked="" type="checkbox"/> Field	Philadelphia, PA		Mount Hope, WV				<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Reestablishment		<input type="checkbox"/> Other		7. Fair Labor Standards Act		8. Financial Statements Required		9. Exempt Personnel		10. Employment and Remuneration	
8. Position (Show any positions replaced)				<input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Nonexempt		<input type="checkbox"/> Exempt Personnel <input type="checkbox"/> Nonexempt		<input type="checkbox"/> Exempt Personnel <input type="checkbox"/> Nonexempt		11. Competitive Level Code	
Replaces VC91012001, GN-1822-14				10. Position Status		11. Position in:		12. Sensitivity		13. Agency Use	
				<input checked="" type="checkbox"/> Competitive		Supervisory		<input checked="" type="checkbox"/> 1-Non-Exempt		GN-1822.30.01-14	
				Exempt (Specify in Remarks)		Managerial		<input type="checkbox"/> 2-Functional		A	
				SES (Ran.) <input type="checkbox"/> SES (CP)		Neither		<input type="checkbox"/> 3-Critical			
								<input type="checkbox"/> 4-Special			
14. Classified/Graded by				Official Title of Position				Pay Plan		Occupational Code	
a. U.S. Office of Personnel Management										Grade	
b. Department, Agency or Establishment										Initials	
c. Second Level Review										Date	
d. First Level Review				Supervisory Coal Mine Safety & Health Inspector				GN		1822 14	
e. Recommended by Supervisor or Adjoining Office										5/22/95	
15. Organizational Title of Position (If different from official title)				17. Name of Employee (If vacant, see 16)							
Assistant District Manager				Lincoln L. Selfe Jr.							
18. Department, Agency, or Establishment				a. Third Subdivision							
Department of Labor				District 4				Inspection Division			
a. First Subdivision				b. Fourth Subdivision							
Mine Safety & Health Administration				Mount Hope, West Virginia							
b. Second Subdivision				c. Fifth Subdivision							
Coal Mine Safety & Health				Signature of Employee (optional)							
19. Employee Review—This is an accurate description of the major duties and responsibilities of my position.											
Supervisory Certification, I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships, and that the position is necessary to carry out Government functions for which I am responsible. This certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.											
a. Typed Name and Title of Immediate Supervisor						b. Typed Name and Title of Higher-Level Supervisor or Manager (optional)					
Michael J. Lawless						Robert A. Elam					
District Manager						Deputy Administrator for CMS&H					
Signature						Signature					
[Signature]						[Signature]					
Date						Date					
4/6/95						4/17/95					
20. Classification/Job Grading Certification. I certify that this position has been classified/graded as required by Title 5, U.S. Code, in accordance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.											
21. Position Classification Specialist						22. Position Classification Standard Used in Classifying/Grading Position					
R. B. KNIGHT						Information for Employees. The standards, and information on their application, are available in the personnel office. The classification of the position may be reviewed and corrected by the agency or the U.S. Office of Personnel Management. Information on classification/job grading appeals, and complaints on exemptions from FLSA, is available from the personnel office or the U.S. Office of Personnel Management.					
Position Classification Specialist											
Signature						Date					
[Signature]						5/22/95					
23. Position Review											
Initials Date Initials Date Initials Date Initials Date Initials Date											
a. Employee (optional)											
b. Supervisor											
c. Classifier											
24. Remarks											
VC95177001											
25. Description of Major Duties and Responsibilities (See Attached)											



Supervisory Mine Safety and Health Inspector  
(Assistant District Manager for Inspection Programs)  
GM-1822-14

Introduction

This position is located in a Coal Mine Safety and Health (CMS&H) District organization. The incumbent of this position serves as an Assistant District Manager, exercising administrative and technical responsibility for the management and oversight of inspection activities throughout the district as required by the Federal Mine Safety and Health Act of 1977 (P.L. 95-164) (Mine Act). The inspection program consists of inspection activities and accident investigations in the immediate offices of the District and Assistant District Managers and the field offices. The incumbent has staff and line responsibilities over field office supervisors who oversee the work of inspection personnel.

Major Duties and Responsibilities

1. Directs the inspection program throughout the District and ensures that all safety and health inspections and accident investigations are carried out according to the Mine Act; ensures that deadlines are met and proper coordination is maintained between the Assistant District Manager's office and other organizations within the Agency.
2. Reviews inspection program operations in the District; identifies and resolves problems or recommends to the District Manager adjustments to the inspection program; ensures district inspection activities are in compliance with Agency policies; consults with other District Managers and supervisors on work-related changes to enhance consistency in implementation of Agency policies, guidelines, and directives.
3. Advises the District Manager and field personnel on a full range of health and safety activities, court and/or hearing proceedings, and technical and administrative matters; incumbent is subject to call at any time to offer testimony of fact at hearings and court proceedings on appeals presented under provisions of the Mine Act.
4. Serves as Acting District Manager in the absence of the District Manager and directs all District activities.
5. Acts as a consultant and advisor on mine health and safety activities to State mining, health, inspection and commerce officials; with mining industry officials; with management and labor officials; and with independent mine owners for the purpose of rendering expert advice and explaining the provisions of the Federal coal mining laws; represents the District Manager at technical meetings, conferences, and seminars.

6. Directs, coordinates and/or assists in on-site rescue and recovery operations following mine explosions, fires and other mine disasters.
7. Accompanies inspectors, engineers, and other employees, during their regular or special assignments in coal mines and related plants to assure the utmost work efficiency and quality, and makes personal examinations of underground and surface coal mining operations to keep fully informed on the latest technical developments in mining processes and equipment.
8. Serves as a member of various MSHA committees established to develop MSHA policy and guidelines regarding the inspection programs. As an acknowledged specialist on the inspection program and all aspects of coal mine operations, aids the committees in establishing reasonable technical requirements for implementation of the Mine Act; reviews proposed regulatory and programmatic changes; and provides advice on the probable impact of changes on the inspection program and recommends adjustments.
9. Directly or indirectly supervises a large staff of professional, technical, and support personnel located throughout the District; selects or recommends the selection of subordinate staff; makes decisions on work problems presented by subordinate supervisors; evaluates performance or reviews evaluations made by subordinate supervisors; reviews or resolves serious complaints or disciplinary cases.

EEO: As a supervisor, incumbent is responsible for ensuring equal opportunity for all employees supervised by identifying areas where meaningful steps toward equal opportunity are necessary in all facets of personnel management. In the selection of employees for training, promotion, awards, and recognition, and other career development opportunities, is responsible for assisting every employee to develop skills so that the employee may attain a full utilization of talents. The supervisor also insures fair and unprejudiced employment practices in the recruitment and selection of candidates for appointments to positions and is responsible for initiating and supporting programs relating to the training and the advancement of ~~employees in "dead-end" positions. Is responsible for~~ actively supporting the Equal Opportunity Program in day-to-day activities and is evaluated on performance in this area on a regular basis.

LMR: Regardless of the status of local employee organizations, supervisor is responsible for being knowledgeable about management's role and responsibilities

in labor management relations. Where a local agreement is in effect, is responsible for becoming completely familiar with the terms of agreement.

Safety: As a supervisor, incumbent is responsible for the on-the-job safety and health of all employees under the District's jurisdiction. Initiates efforts conforming to established local and MSHA safety programs to satisfy this responsibility. Responsibilities include identifying and correcting job safety and health hazards; instructing employees on safety requirements for job assignments; reviewing and reporting loss incidents, in accordance with MSHA and Office of Employees' Compensation regulations; initiating corrective measures for violations of the Occupational Safety and Health Act standards, and directing the periodic inspection of all work places.

#### Factors

##### 1. Knowledge Required by the Position

Comprehensive knowledge of coal mining or extensive practical experience in coal mining and health and safety practices and procedures.

Comprehensive knowledge of the enforcement activities required under the Federal Coal Mine Safety and Health laws, regulations, policies and procedures.

Managerial and supervisory knowledge in order to effectively manage a complex office and motivate individuals to effectively and equitably enforce CMS&H regulations.

Thorough knowledge of CMS&H and other MSHA organizations and their respective individual programs and policies.

Substantial skill in oral and written communications.

##### 2. Supervisory Controls

Performs under the direction of the District Manager for CMS&H, operating within the framework of prescribed Agency and departmental policies and guidelines. Exercises independence in planning and scheduling District inspection operations. ~~Results of incumbent's work are evaluated in~~ terms of effectiveness of programs; adherence to Agency policies and achievement of program objectives.

3. Guidelines

Incumbent is guided by the Mine Safety and Health Act of 1977 and other Federal, departmental, MSHA and CMS&H policies, procedures, directives, and administrative and technical guidelines in the field of management and administration. Where guidance is vague or unclear incumbent has substantial latitude for interpreting and applying policies, guidelines, procedures, etc.

4. Complexity

The incumbent must apply knowledge, experience, and seasoned judgement in planning and coordinating various safety and health programs and enforcing a wide range of safety and health standards which are continually being issued, revised and amended. Enforcement of these standards often leads to controversial and complex actions which have to be negotiated in a sensitive manner.

5. Scope and Effect

The responsibilities of this position encompass the enforcement of all coal mine safety and health standards and regulations in a uniform and equitable manner, which contributes to the overall effectiveness of the CMS&H organization and enhances the mission of MSHA.

The enforcement responsibilities and the sanctions imposed by the incumbent are of economic, social, and frequently political in nature, and the incumbent must effectively deal with grieved parties while protecting and promoting, as their paramount responsibility, the health, safety and welfare of the thousands of workers employed in the industry. The incumbent, as a representative of the Secretary, has the responsibility and authority to cease the operation of a mine if the incumbent detects a violation of regulations felt sufficiently severe to endanger the health and safety of miners. Decisions may adversely affect both the company and the employees in that the financial burden of compliance under certain circumstances could cause closure of the mine.

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According to the National Safety Council, underground coal mining is the most dangerous occupation in America based on accidental death and serious injury rates. There is intense interest in mineral industry health and safety from the White House, the Congress, the Department of Labor, the mineral and allied industries, and the public. Consequently, the mineral and allied industries and other similar positions have an effect on the work program of the Agency,

the Department and the Federal government, and must meet the rigid requirements and high standards of a wide range of interest and a very wide sector of the public.

6. Personal Contacts

The incumbent interacts with corporate officials and high-level managers across a wide spectrum of the public sector and the Federal government including: Department of Labor, MSHA, CMS&H, other Federal agencies, State agencies, the mining industry, labor organizations and the academic community.

7. Purpose of Contacts

Regularly meets with high-level officials for the purpose of rendering expert advice and explaining the provisions of the law. Confers with employees of the district to execute the administrative, technical and enforcement responsibilities of the organization.

8. Physical Demands

Works in a basically sedentary environment; however, may travel to mine sites as necessary, requiring that the incumbent be physically capable of performing arduous duties of the position without hazard to himself/herself or fellow employees, and be capable of sustained physical exertion and high levels of pressure and stress.

9. Work Environment

Works primarily in an office setting; however, trips to mining operations are necessary. Work underground may be in close confinement, in and out of small spaces, where dampness and low water areas are expected. Crawling on hands and knees is common practice. Climbing ladders without convenient rest stations is a possibility. On occasion, may operate with little light, and be frequently exposed to dust, gases and fumes.

# Performance Management Plan for Managers and Supervisors

## A. General Information

1. Employee Name (last, first, middle) Selle, Lincoln L., Jr.  
 2. Organization MSHA  
 3. Title, Series, Grade Assistant District Manager, GS-1822-14  
 4. Appraisal Period (mm/dd/yyyy) 11-16-09 to 10/25/2010  
 5. Supervisory Status ☒ Code 2 - Supervisor or Manager

## B. Performance Elements and Standards Certification

1. I certify that this performance plan contains accurate performance elements and standards that:  
☒ Link at least one critical element to specific Department, Agency, and/or organizational strategic goal.  
☒ Hold the employee accountable for measurable and observable results.  
☒ Link to the employee's position description and reflect the duties and responsibilities assigned to the employee.

2. Rating Official Signature Robert G. Hardman Date (mm/dd/yyyy) 11/16/2009  
 3. Rating Official Name (last, first, middle) Hardman, Robert G.  
 4. Rating Official Title District Manager  
 5. Prototype Standards? ☒ Yes ☐ No

## C. Position Description Certification

1. Position description is correct? ☒ Yes ☐ No (If No, Explain below.)  
 2. Rating Official Signature Robert G. Hardman Date (mm/dd/yyyy) 11/16/2009  
 3. Rating Official Name (last, first, middle) Hardman, Robert G.  
 4. Rating Official Title District Manager

## D. Establishment of the Performance Management Plan

1. We have discussed this plan and written comments are attached.  
☒ Yes ☐ No Discussed / No comments  
 2. Employee Signature Charles J. Thomas Date (mm/dd/yyyy) 11-16-2009  
 3. Rating Official Signature Robert G. Hardman Date (mm/dd/yyyy) 11/16/2009  
 4. Rating Official Name (last, first, middle) Hardman, Robert G.  
 5. Rating Official Title District Manager  
 6. Reviewing Official Signature Charles J. Thomas Date (mm/dd/yyyy) 11-16-2009  
 7. Reviewing Official Name (last, first, middle) THOMAS, CHARLES J.  
 8. Reviewing Official Title Acting Deputy Administrator for C&H

## E. Mid-Term Progress Review Certification

1. The mid-term progress review has been conducted. ☒ Yes ☐ No (If No, Explain below.)  
 2. Employee Signature Charles J. Thomas Date (mm/dd/yyyy) 04/28/2010  
 3. Rating Official Signature Robert G. Hardman Date (mm/dd/yyyy) 04/28/2010  
 4. Rating Official Name (last, first, middle) HARDMAN, ROBERT G.  
 5. Rating Official Title DISTRICT MANAGER

## F. Performance Appraisal and Rating

1. Indicate Performance appraisal and rating below.  

Exemplary	Exceed standards for all elements
<input checked="" type="checkbox"/> Highly effective	Exceed standards for 50% or more elements but not all meets standards for all other elements
Effective	Meet standards for all elements and may exceed standards for less than 50% of elements
Minimally Satisfactory	Need to improve performance for one or more elements
Unsatisfactory	Fail to meet standards on one or more elements

 2. We have discussed this appraisal written comments are attached. ☒ Yes ☐ No

3. Purpose of Appraisal ☐ Interim Rating ☒ Rating of Record  
 4. Rating Official Signature Robert G. Hardman Date (mm/dd/yyyy) 10/20/2010  
 5. Rating Official Name (last, first, middle) HARDMAN, ROBERT G.  
 6. Rating Official Title DISTRICT MANAGER  
 7. Employee Signature Charles J. Thomas Date (mm/dd/yyyy) 10/20/2010  
 8. Reviewing Official Signature Charles J. Thomas Date (mm/dd/yyyy) 10/25/2010  
 9. Reviewing Official Name (last, first, middle) Thomas, Charles J.  
 10. Reviewing Official Title Deputy Administrator for C&H

### G. Performance Summary

1. For each element, select the appropriate rating. Element ratings: E = Exceed; M = Meet; NI = Need to Improve; F = Fail

Managerial Competency Elements	Element Rating			
	E	M	NI	F
Leadership	X			
Resource Management	X			
Coalition Building and Communication	X			
Problem Solving and Initiative	X			
Equal Employment Opportunity		X		

Organizational Performance Elements	Element Rating			
	E	M	NI	F
Result 1	X			
Result 2	X			
Result 3	X			
Result 4	X			

### H. Other Significant Accomplishments

1. Please describe other significant accomplishments in the space below.

### I. Managerial Competency Elements

#### 1. Leadership

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

##### Performance Standard for Meet

- Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission, consistent with key Agency policies and priorities and economic, political, and social trends affecting the organization.
- Anticipates and meets the needs of clients/customers. Sets standards for customers' needs and satisfaction and meets them.
- Uses Agency performance plans and other management systems to link individual performance to outcomes and to overall organizational performance objectives.
- Promotes and maintains diverse and inclusive workforce by actively recruiting and hiring from diverse applicant pools; fostering collaboration with individuals from diverse backgrounds, perspectives, and experiences; ensuring opportunities for growth exist equitably for all employees; and providing fair and equitable recognition of accomplishments for all employees.

Narrative

*See narrative attached.*

## 2. Resource Management

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

### Performance Standard for Meet

- Ensures that staff are appropriately selected, utilized, appraised and developed. Actively develops the talent of the staff and develops qualified candidates for positions in the organization.
- Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.
- Uses informal training, continuous managerial assessments, frequent and constructive feedback and appropriate recognition to promote staff morale and to ensure quality work products and customer service.
- Proactively works to maintain a safe workplace and to prevent accidents, injuries and illness. Resolves conflicts in a positive and constructive manner.
- Assures that the organizational budget is administered in a manner that supports the accomplishment of program goals and reflects sound financial management.
- Develops, implements, and maintains strategic and operational plans to facilitate the achievement of program responsibilities, assigned under the American Recovery and Reinvestment Act (ARRA) provisions, consistent with the Secretary's enduring vision of Good Jobs for Everyone. Assures that allocated ARRA funds are administered in accordance with the Department's "Operating Plans for Departmental Management Funds in the American Recovery and Reinvestment Act", and complies with Departmental requirements for accurate recording and reporting of ARRA-related activities and resource utilization.
- Actively recruits to attract and select qualified applicants with the competencies needed to successfully meet Departmental Fiscal Year 2010 hiring goals by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.

### Narrative

*See narrative attached.*

## 3. Coalition Building and Communication

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

### Performance Standard for Meet

- Promotes an open, communicative environment where staff can readily access resources and move forward to accomplish common goals and tasks. Handles workplace disputes promptly and effectively.
- Makes clear to staff what is expected of them both individually and as a team/group; clarifies the extent of their authority.
- Effectively represents the Department and the program agency internally and externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.

### Narrative

*See narrative attached.*



4. Problem Solving and Initiative

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Stresses innovation and risk-taking. Analyzes problems and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move program forward.
- Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results.

Narrative

*See attached narrative.*

5. Equal Employment Opportunity

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

Performance Standard for Meet

- Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies. Promptly addresses allegations of prohibited discrimination, harassment, and retaliation; ensures EEO principles are adhered to throughout the organization.

Narrative

#### J. Organizational Performance Elements

At the beginning of the performance cycle, the rating official must provide, in Section J, four critical, results-specific elements and standards, at least one of which demonstrates linkage with the Secretary's vision of Good Jobs for Everyone that the employee will be held accountable for during the performance cycle. Each performance standard must be written at the Meets level and includes measures of performance such as quality, quantity, timeliness and cost effectiveness. Standards should be clear and not include detailed milestones or descriptions of the process and methods used to achieve the results.

In assigning a rating to each element, please rate the employee at one of the following four levels and include a written narrative as appropriate:

- Exceeds described level of performance (narrative required)
- Meets described level of performance (narrative not required)
- Needs to improve in order to meet the level of performance (narrative required)
- Fails to meet described level of performance (narrative required)

Result #1

☒ Exceed ☐ Meet ☐ Need to improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Outcome Goal 10 -- Voice in the Workplace:

Demonstrates efforts toward the reduction of the mining fatality injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Demonstrates efforts toward the reduction of the ALL injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Monitor mine safety and health program area to ensure that citations/orders are timely terminated, Hazard Condition Complaints are timely processed, and mine plan approvals are evaluated in a timely manner.

Performance Standard

Performance is satisfactory when:

A 5% reduction in FY10 from the average number of fatalities for FY2005 -- FY2009.

The status of citations issued is monitored for timeliness of abatement. Performance will be measured by the degree to which the District is able to terminate citations within the period established by policy for abatement, Hazard Condition Complaints are timely processed, and mine plan approvals are evaluated in a timely manner. Progress will be measured by using a variety of reports.

Narrative

*See attached narrative.*

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Result #2

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 -- Voice in the Workplace:

Demonstrates efforts toward the reduction of the fatalities and injuries in the District's Coal mines by using the MSHA Key indicators and other reports to direct resources to monitor and improve enforcement performance and quality.

Incumbent monitors MSHA Coal Key Indicator and other reports for performance results outside the acceptable norms and averages for the Coal Districts' unique and distinct performance levels. Incumbent understands the effects of the District's geography and work load when determining acceptable average performance baselines.

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Performance Standard

Performance is satisfactory when:

The incumbent demonstrates the use of the MSHA Key indicators and other reports in the daily managerial decision-making process, demonstrates an understanding of the root causes for variances in monthly reporting, assigns responsibility for the variances, accounts for their occurrence and remedy where applicable and shares best practices with relevant MSHA employees. The incumbent must ensure that the completion rate of all E01 inspections is 100%. Exception to this only may be granted if the incumbent can demonstrate supporting aberrations beyond the control of the incumbent's management ability that prevented 100% completion. The completion rate of all E01 inspections at 100% will be for all coal mines district-wide.

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Narrative

*See attached narrative.*



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Result #3

☒ Exceed ☐ Meet ☐ Need to improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 – Voice in the Workplace:

Take appropriate action to ensure the District achieves a 2% reduction from the previous year for dust and noise sample results exceeding the allowable limits.

---

Performance Standard

Performance is satisfactory when:

In your respective District, focused inspections are used to target the most egregious and persistent violators; conduct special emphasis Respirable coal mine dust and noise inspections in FY 2010; continually review noise controls in situations of continuing non-compliance to determine if all feasible noise controls have been applied; revise and improve coal mine dust-related inspections based on lessons learned in the "Dust Busters" effort; conduct quarterly reviews of sampling data; initiate systematic reviews of the quality of dust controls in approved mine ventilation and dust control plans during the six-month review of the plans to foster continuous improvement.

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Narrative

*See attached narrative.*

Result #4

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 -- Voice in the Workplace:

Use all available tools in an effort to reduce and/or eliminate the inconsistent enforcement of MSHA regulations, the Mine Act and the MINER Act.

Use all available tools in an effort to reduce and/or eliminate the deficiencies identified in Accountability, District and Peer reviews. Incumbent will review findings noted in such reviews and timely implement corrective actions.

Performance Standard

Performance is met when:

- (1) MSHA handbook, policy and procedures have been followed;
- (2) Required Mine visits are completed;
- (3) Demonstrated efforts have been made to reduce or eliminate repeat audit findings and personnel are trained as necessary;
- (4) Field Activity and Second Level reviews are accurately completed and all deficiencies are addressed;
- (5) There are clear demonstrated efforts made to help assure consistency in citations/orders issued;
- (6) Hazard Condition Complaints are timely processed;
- (7) Conferences and contested cases are conducted in accordance with MSHA handbook, policy and procedural guidance. All reductions or changes by a District CLR during conferences or contested cases have been made with good reason and clear documentation provided. All settlement proposals have been reviewed and approved by MSHA management prior to settlement and proper documentation maintained; and
- (8) Mine plan approvals have been adequately evaluated and appropriate approval/disapproval conducted.

Narrative

*See attached narrative.*

### Leadership

- established, monitored, and accomplished goals consistent with National objectives
- selected and developed staff to meet the needs of the Agency
- made himself available to assist others and other offices with problem solving
- conducted numerous meetings with mine operators and miners to address district goals and expectations
- set an example for his employees to enhance the professionalism among the District 4 employees
- instrumental in coordinating the Southern West Virginia Mine Rescue, Bench, First Aid, and Pre-Shift Contest

### Resource Management

- has been active to assist in staff selections for the district
- engages with newly hired inspectors to ensure they are receiving proper training and staying on their training schedules
- monitors programs in the district, tracks, evaluates, and provides feedback to the personnel involved to ensure objectives are being met in a timely manner
- has monitored manpower needs and adjusted manpower among his offices to ensure completion of the mandated inspections
- serves on the district accident review board

### Coalition Building and Communication

- manager has developed working relationships with other facets of MSHA ( Headquarters, Technical Support, and Mine Emergency Operations) that facilitates meeting Agency goals
- throughout the Fiscal Year the manager has been requested to address mine management and mine examiners to clarify expectations for their responsibilities and has addressed as many as 60 managers in one meeting
- had routine meetings with employees to gather their input when addressing problems or implementing new procedures, drawing on both their education and experience
- worked very closely with the other ADMs to ensure adequate oversight is in place for the field offices
- worked closely with the other facets and mine rescue teams during the Upper Big Branch Mine -South recovery
- worked very close with the State Agency to plan and coordinate the Southern West Virginia Mine Rescue Contest

#### Problem Solving and Initiative

- has been sought by and assisted the field office supervisors with problems and issues that have developed in the field offices
- has worked closely with the technical services groups to gain better plans that are concise and easy for the inspectorate and the miners to understand
- has been sought by technical services groups and mine operators to evaluate and provide input into seal breach and exploration plans. Due to his mine rescue and recovery experiences he has been able to assist and help them address issues and develop conscientious plans that protect the teams during exploration and recovery operations
- worked the Command Center and assisted with the exploration and recovery of the Upper Big Branch Mine - South

#### Result #1

- worked aggressively during FY 10 to improve the safety culture at the mines under his jurisdiction
- conducted numerous meetings with both miners and mine management to address safety issues and how they affect the decisions made by mine management
- monitored manpower usage and reallocated resources to ensure 100% inspection completions
- monitored Inspection Division 1 enforcement and addressed compliance challenged mines through mine visits and on-site meetings with the mine operators and miners
- During FY 10 Inspection Division 1 inspectors issued 10,239 citations and orders. The S&S rate was 31% and elevated enforcement was used for 370 issuances.

#### Result #2

- - worked aggressively during FY 10 to improve the safety culture at the mines under his jurisdiction
- conducted numerous meetings with both miners and mine management to address safety issues and how they affect the decisions made by mine management
- monitored manpower usage and reallocated resources to ensure 100% inspection completions



- monitored Inspection Division 1 enforcement and addressed compliance challenged mines through mine visits and on-site meetings with the mine operators and miners
- During FY 10 Inspection Division 1 inspectors issued 10,239 citations and orders. The S&S rate was 31% and elevated enforcement was used for 370 issuances
- the manager worked closely with the specialist groups to improve the plan quality for the mines under our jurisdiction
- all headquarters initiatives were conducted to meet agency expectations and performed in a timely manner

#### Result #3

- the manager worked closely with the health group and District Manager to address and improve dust-control plans for the Inspection Division 1 mines.
- The most recent respirable dust GPRA report indicates that all four Division 1 offices met their GPRA goals for respirable dust
- the most recent noise exposure GPRA report indicates that all four Division 1 offices met their GPRA goals for noise exposures

#### Result #4

- the manager supports and encourages participation in MSHA's safety and health program through proactive and reactive actions, utilizing monthly staff meetings, quarterly safety meetings, one-on-one contacts, accident analysis and dissemination of information to increase employee awareness of accidents and accident prevention
- the manager makes quarterly visits to the field offices and makes on-site safety inspections of the offices
- the manager has made numerous field office and mine visits during which he always observes condition of the offices and use of PPE, and work practices of the employees

- the manager leads by example to promote the health and safety for the employees.

# Performance Management Plan for Managers and Supervisors



1. Employee Name (last, first, middle) Selfe, Lincoln L.		2. Organization Mine Safety and Health Administration											
3. Title, Series, Grade ASSISTANT DISTRICT MANAGER, GS-1822-14		4. Appraisal Period (mm/dd/yyyy) 11/16/2010 to 10/25/2011											
5. Supervisory Status <input checked="" type="checkbox"/> Code 2 - Supervisor or Manager													
6. Performance Elements and Standards Certification													
1. I certify that this performance plan contains accurate performance elements and standards that:		<input checked="" type="checkbox"/> All critical results elements link to the Agency's operating plan. <input checked="" type="checkbox"/> Hold the employee accountable for measurable and/or observable results. <input checked="" type="checkbox"/> Link to the employee's position description and reflect the duties and responsibilities assigned to the employee.											
2. Rating Official Signature <i>Robert G. Hardman</i>		Date (mm/dd/yyyy) 11/15/2010											
3. Rating Official Name (last, first, middle) Hardman, Robert G.													
4. Rating Official Title District Manager													
5. Prototype elements and/or standards <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No													
6. Position Description Certification													
1. Position description is correct? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, explain below.)		2. Rating Official Signature <i>Robert G. Hardman</i>											
		Date (mm/dd/yyyy) 11/15/2010											
3. Rating Official Name (last, first, middle) Hardman, Robert G.		4. Rating Official Title District Manager											
7. Establishment of the Performance Management Plan													
1a. I discussed this plan with employee. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		1b. Employee written comments are attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No											
2. Rating Official Signature <i>Robert G. Hardman</i>		Date (mm/dd/yyyy) 11/15/2010											
3. Rating Official Name (last, first, middle) Hardman, Robert G.		4. Rating Official Title District Manager											
5. Rating Official Signature <i>Charles E. Thomas</i>		Date (mm/dd/yyyy) 11-15-2010											
6. Rating Official Name (last, first, middle) Thomas, Charles E.		7. Rating Official Title Deputy Administrator for CMS&H											
8. Reviewing Official Signature <i>Robert G. Hardman</i>													
Date (mm/dd/yyyy) 4/19/2011													
9. Reviewing Official Name (last, first, middle) HARDMAN, ROBERT G.													
10. Reviewing Official Title DISTRICT MANAGER													
1. The mid-term progress review has been conducted. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, explain below.)													
2. Employee Signature <i>Lincoln L. Selfe</i>													
Date (mm/dd/yyyy) 04-19-2011													
3. Performance Appraisal and Rating													
1. Indicate performance appraisal and rating below.		2a. I discussed this appraisal with employee. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No											
<table border="1"> <tr> <td>Exemplary</td> <td>Exceed standards for all elements</td> </tr> <tr> <td>Highly Effective</td> <td>Exceed standards for 50% or more elements but not all meet standards for all other elements</td> </tr> <tr> <td>Effective</td> <td>Meet standards for all elements and may exceed standards for less than 50% of elements</td> </tr> <tr> <td>Minimally Satisfactory</td> <td>Need to improve performance for one or more elements</td> </tr> <tr> <td>Unsatisfactory</td> <td>Fail to meet standards on one or more elements</td> </tr> </table>		Exemplary	Exceed standards for all elements	Highly Effective	Exceed standards for 50% or more elements but not all meet standards for all other elements	Effective	Meet standards for all elements and may exceed standards for less than 50% of elements	Minimally Satisfactory	Need to improve performance for one or more elements	Unsatisfactory	Fail to meet standards on one or more elements	2b. Employee written comments are attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Exemplary	Exceed standards for all elements												
Highly Effective	Exceed standards for 50% or more elements but not all meet standards for all other elements												
Effective	Meet standards for all elements and may exceed standards for less than 50% of elements												
Minimally Satisfactory	Need to improve performance for one or more elements												
Unsatisfactory	Fail to meet standards on one or more elements												
3. Purpose of Appraisal <input type="checkbox"/> Interim Rating <input checked="" type="checkbox"/> Rating of Record		7. Employee Signature <i>Kevin G. Ericklin</i>											
Date (mm/dd/yyyy) 10-14-11		Date (mm/dd/yyyy) 10/05/2011											
8. Rating Official Signature <i>Charles E. Thomas</i>		9. Rating Official Name (last, first, middle) Ericklin, Kevin G.											
10. Rating Official Title District Manager		11. Reviewing Official Title Administrator for CMS&H											

# **G. Performance Summary**

1. For each element, select the appropriate rating. Element ratings: E = Exceed; M = Meet; NI = Need to Improve; F = Fail

Managerial Competency Elements	Element Rating			
	E	M	NI	F
Leadership	<input checked="" type="checkbox"/>			
Resource Management	<input checked="" type="checkbox"/>			
Coalition Building and Communication	<input checked="" type="checkbox"/>			
Problem Solving and Initiative	<input checked="" type="checkbox"/>			
Equal Employment Opportunity and Diversity		<input checked="" type="checkbox"/>		

Results Elements	Element Rating			
	E	M	NI	F
Result 1	<input checked="" type="checkbox"/>			
Result 2	<input checked="" type="checkbox"/>			
Result 3	<input checked="" type="checkbox"/>			
Result 4	<input checked="" type="checkbox"/>			
Result 5				
Result 6				
Result 7				
Result 8				

# **H. Other Significant Accomplishments**

1. Please describe other significant accomplishments in the space below.

# **I. Managerial Competency Elements**

1. Leadership ☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

## **Performance Standard**

- Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission and to improve performance consistent with key organizational policies and priorities and economic, political, and social trends affecting the organization.
- Anticipates and meets the needs of clients/customers to provide better service. Sets standards for customer needs and satisfaction, and meets them. Uses effective business practices including balanced measures to consider customer, stakeholder, and employee perspectives.
- Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results that promote innovation, efficiency, and greater effectiveness.
- Links individual performance requirements to key organizational goals. Incorporates organizational performance results into decisions about individual performance ratings and recognition. Makes meaningful distinctions between levels of performance in ratings. Recognizes subordinate performance and teamwork.
- Promotes and adheres to the highest ethical standards of public service.

## **Narrative**

Mr. Selfe has show an excellent leadership ability in establishing, monitoring, and accomplishing the goals consistent with National objectives. Link posses a quality of leadership unsurpassed by his peers. The enormous size and scope of mining in District 4 requires a leader in the enforcement division which is accepted by supervisors, inspectors and the mining industry. He has oversight of over 170 MMU inspections each quarter as well as mandated 103(T) inspections. Link has been instrumental in the selection and development of supervisors, inspectors and support staff and to establish a work force to meet the agency's mission. He has conducted numerous meetings with stakeholders, miners, legal staff and miners's representatives to provide guidance and leadership in the district. Link has worked closely with the district specialist, CLR, SI, health, roof control and ventilation departments to establish plans that provide the miners with a safe work place. He has been a leader in organizing and coordinating the Southern West Virginia Mine Rescue, Bench, First Aid and Pre-Shift Context. Link has vast experience in mine rescue operations and provides this experience as a leader in the event of a mining disaster.

## 2. Resource Management

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

### Performance Standard

- Understands the organization's financial processes. Prepares, justifies, and administers the program budget. Oversees procurement and contracting to achieve desired results. Monitors expenditures and uses cost-benefit thinking to set priorities. Develops and implements strategies to reduce erroneous and late payments, prevent Anti-Deficiency Act violations, and ensure adequate management controls.
- Actively recruits to attract and select qualified applicants with the competencies needed by embracing the use of available hiring facilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.
- Understands the impact of technological developments on the organization. Makes effective use of technology to achieve results. Ensures access to and security of technology systems.
- Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.

### Narrative

Mr. Selfe has an excellent working knowledge of mining and this provides him with an expertise in providing scheduling and direction of the district's enforcement group. Prior to the separation of District 4 into two districts, Link was the ADM for enforcement Group 1. He worked closely with Group 2's ADM in the concerted effort of conducting inspections, investigations and hiring of new inspectors and staff. Since the establishment of the new District 4, Link has been instrumental in providing the necessary personnel to field offices as well as the district, to complete all mandated inspections. He has provided resources to conduct impact inspections and provide an adequate enforcement personnel for accidents, complaints and 103(t) inspections. Link works closely with newly hired inspectors to ensure that they receive adequate training and that they have gotten training in a diverse number of skills and schedules. Link consistently reviews databases and programs to monitor the district to gather the most current information which he uses to track, evaluate and coordinate inspection activities. Although Link is understaffed, he has established an excellent track record for providing complete, thorough and comprehensive inspections to provide a safe work environment for each miner. He further provides this same level of safety to those of his staff and other inspectors.

## 3. Coalition Building and Communication

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

### Performance Standard

- Promotes an open, communicative environment that inspires and encourages service motivation, spirit, pride, and trust. Facilitates cooperation and motivates individual staff members/teams to accomplish organizational goals. Manages and resolves conflicts in a positive and constructive manner.
- Stresses innovation, creativity, and risk-taking. Analyzes problems and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move programs forward.

### Narrative

Mr. Selfe has developed working relationships with other facets of MSHA (Headquarters, Technical Support, and Mine Emergency Operations) that facilitates meeting agency goals. Throughout the Fiscal Year, Link has been requested to address mine management and mine examiners to clarify expectations for their responsibilities and has addressed as many as 50 managers and examiners in one such meeting. He has conducted regular meetings with employees to gather their input to address problems or implementing new procedures, drawing on both their education and experience. Link has worked very closely with the other ADMs and supervisors to ensure adequate oversight is in place for the field offices. He has worked closely with the other facets and accident investigation teams during the Upper Big Branch Mine-South investigation. Link works very closely with other districts and the State Agency to plan and coordinate the Southern West Virginia Mine-Rescue Contest. He excels in problem-solving and provides a keen sense of being able to convey solutions and alternative methods.

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#### 4. Problem Solving and Initiative

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

##### Performance Standard

- Effectively represents the Department and the organization internally and/or externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.

---

##### Narrative

Mr. Selfe consistently works in cooperation with field office supervisors to address problems and issues that have developed in the field offices. Currently there are over 170 MMUs in District 4's inspection area. Link has shown a great ability to provide solutions to problems encountered by stakeholders as well as the inspection force. He has a "take charge" demeanor to take a proactive stance in potential problems and issues which arise on a daily basis. The constant change of personnel within the district has created a serious understaffing of personnel. Link has worked with his inspection group to ensure that mines are inspected as required by the Mine Act, regulation and policy and provide a safe working environment. Link has worked closely with the technical services groups to provide plans that provide safety to the miners and are concise and easy for the inspectors and miners to understand. He has been sought by technical services groups and mine operators to evaluate and provide input into seal breach and exploration plans for many mines. Due to his mine rescue and recovery experience, he has been able to assist and help them to address issues and develop conscientious plans that protect the teams during exploration and recovery operations.

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#### 5. Equal Employment Opportunity and Diversity

☐ Exceed ☒ Meet ☐ Need to Improve ☐ Fail

##### Performance Standard

- Promotes and maintains a diverse and inclusive workforce. Actively recruits and hires from diverse applicant pools. Foster collaboration with individuals from diverse backgrounds, perspectives, and experience. Ensures that opportunities for growth exist equitably for all employees. Provides fair and equitable recognition of accomplishments for all employees.
- Builds, trains, and manages workforce based on organizational goals, budget considerations, and staffing needs. Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies. Promptly addresses allegations of prohibited discrimination, harassment, and retaliation. Ensures that EEO principles are adhered to throughout the organization.

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##### Narrative

**Section 3: Results Elements**

Provides as many critical results-specific elements as are necessary to reflect the manager/supervisor's specific responsibilities in the implementation of their agency's operating plan. All elements and standards must be linked to the operating plan and should describe the specific major results to be achieved during the period of performance covered by the performance plan. Each performance standard must be written at the Meet level and include measures of performance such as quality, quantity, timeliness, and cost effectiveness. Standards should be clear and not include detailed milestones for descriptions of the process and methods used to achieve the results.

The rating official must appraise the manager/supervisor's performance relative to the critical results-elements performed. In assigning a rating to each critical results element, please rate the manager/supervisor at one of the following four levels and include a written narrative as appropriate:

- Exceeds described level of performance (narrative required)
- Meets described level of performance (narrative not required)
- Needs to improve in order to meet the level of performance (narrative required)
- Fails to meet described level of performance (narrative required)

Fifty percent (50%) of the summary rating indicated in Section F1 is based on the manager/supervisor's performance relative to the critical results elements identified in this section. The remaining 50% is attributed to the manager/supervisor's demonstrated performance of the managerial competencies identified in Section I.

**Result #1**

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Outcome Goal 10 -- Voice in the Workplace:

Demonstrates efforts toward the reduction of the mining fatality injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Demonstrates efforts toward the reduction of the ALL injury incidence rate in the District's Coal mines in accordance with the performance goals and indicators.

Monitor mine safety and health program area to ensure that citations/orders are timely terminated, Hazard Condition Complaints are timely processed, and mine plan approvals are evaluated in a timely manner.

**Performance Standard**

Performance is satisfactory when:

A 5% reduction in FY10 from the average number of fatalities for FY2005 -- FY2009.

The status of citations issued is monitored for timeliness of abatement. Performance will be measured by the degree to which the District is able to terminate citations within the period established by policy for abatement, Hazard Condition Complaints are timely processed, and mine plan approvals are evaluated in a timely manner. Progress will be measured by using a variety of reports.

**Narrative**

Mr. Selfe has worked aggressively during FY11 to improve the safety culture at the mines under his jurisdiction. He conducted numerous meetings with both miners and mine management to address safety issues and how they affect the decisions made by mine management. Link as monitored manpower usage and reallocated resources to ensure 100% inspection completions. He has monitored Inspection Division I enforcement and addressed compliance challenged mines through mine visits and on-site meetings with the mine operators and miners. During FY11, Inspection Division I inspectors have issued more than 12,203 citations and orders, the S&S rate was 40% and elevated enforcement was used for 418 issuances.

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**Result 92**

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 -- Voice in the Workplace:

Demonstrates efforts toward the reduction of the fatalities and injuries in the District's Coal mines by using the MSHA Key Indicators and other reports to direct resources to monitor and improve enforcement performance and quality.

Incumbent monitors MSHA Coal Key Indicator and other reports for performance results outside the acceptable norms and averages for the Coal Districts' unique and distinct performance levels. Incumbent understands the effects of the District's geography and work load when determining acceptable average performance baselines.

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**Performance Standard**

Performance is satisfactory when:

The incumbent demonstrates the use of the MSHA Key Indicators and other reports in the daily managerial decision-making process, demonstrates an understanding of the root causes for variances in monthly reporting, assigns responsibility for the variances, accounts for their occurrence and remedy where applicable and shares best practices with relevant MSHA employees. The incumbent must ensure that the completion rate of all E01 inspections is 100%. Exception to this only may be granted if the incumbent can demonstrate supporting aberrations beyond the control of the incumbent's management ability that prevented 100% completion. The completion rate of all E01 inspections at 100% will be for all coal mines district-wide.

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**Narrative**

Mr. Selfe has worked aggressively during FY11 to improve the safety culture at the mines under his jurisdiction. He has conducted numerous meetings with both miners and mine management to address safety issues and how they affect the decisions made by mine management. Link has monitored manpower usage and reallocated resources to ensure 100% inspection completions. He has monitored Inspection Division 1 enforcement and addressed compliance challenged mines through mine visits and on-site meetings with the mine operators and miners. During FY11, Inspection Division 1 inspectors issued 12,203 citations and orders. The S&S rate was 40% and elevated enforcement was used for 418 instances. Link has worked closely with the specialist groups to improve the plan quality for the mines under our jurisdiction, often attending meetings to provide support for the specialists. He has been instrumental in the completion of all headquarters initiatives and all they were conducted to meet agency expectations and performed in a timely manner.



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Result #3

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and goal 10 – Voice in the Workplace:

Take appropriate action to ensure the District achieves a 2% reduction from the previous year for dust and noise sample results exceeding the allowable limits.

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Performance Standard

Performance is satisfactory when:

In your respective District, focused inspections are used to target the most egregious and persistent violators; conduct special emphasis Respirable coal mine dust and noise inspections in FY 2010; continually review noise controls in situations of continuing non-compliance to determine if all feasible noise controls have been applied; revise and improve coal mine dust-related inspections based on lessons learned in the "Dust Busters" effort; conduct quarterly reviews of sampling data; initiate systematic reviews of the quality of dust controls in approved mine ventilation and dust control plans during the six-month review of the plans to foster continuous improvement.

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Narrative

Mr. Selfe's mining experience and expertise has provide him with an excellent working knowledge to improve dust-control plans for the Inspection Division 1 mines. He works closely with the District Manager and health group to provide oversight and compliance with dust and noise issues at the mine. He has worked with the field offices to ensure all dust sampling is conducted timely and that the plans and regulations are monitored and followed at each mine, and that health citations and orders are properly evaluated. Link works closely with planning and initiation of programs to provide a safe and healthy workplace for miners as well as his work group. He always reviews the health parameters for each mine and discusses health compliance during his mine visits. Working as a team, Link has been instrumental in providing adequate plans for each of the field offices. He provides sound recommendations to stakeholders and the members of the district inspection and specialist groups to ensure a safe and healthy workplace for the miners.

Result #4

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 -- Voice in the Workplace:

Use all available tools in an effort to reduce and/or eliminate the inconsistent enforcement of MSHA regulations, the Mine Act and the MINER Act.

Use all available tools in an effort to reduce and/or eliminate the deficiencies identified in Accountability, District and Peer reviews. Incumbent will review findings noted in such reviews and timely implement corrective actions.

Performance Standards

Performance is met when:

- (1) MSHA handbook, policy and procedures have been followed;
- (2) Required Mine visits are completed;
- (3) Demonstrated efforts have been made to reduce or eliminate repeat audit findings and personnel are trained as necessary;
- (4) Field Activity and Second Level reviews are accurately completed and all deficiencies are addressed;
- (5) There are clear demonstrated efforts made to help assure consistency in citations/orders issued;
- (6) Hazard Condition Complaints are timely processed;
- (7) Conferences and contested cases are conducted in accordance with MSHA handbook, policy and procedural guidance. All reductions or changes by a District CLR during conferences or contested cases have been made with good reason and clear documentation provided. All settlement proposals have been reviewed and approved by MSHA management prior to settlement and proper documentation maintained; and
- (8) Mine plan approvals have been adequately evaluated and appropriate approval/disapproval conducted.

Narrative

Mr. Seife has provided support and encourages participation in MSHA's safety and health program through proactive and reactive actions, utilizing monthly staff meetings, quarterly safety meetings, one-on-one contacts, accident analysis and dissemination of information to increase employee awareness of accidents and accident prevention. Link manager makes quarterly visits to the field offices and makes on-site safety inspections of the offices. Link has made numerous field office and mine visits during which he always observes condition of the offices and use of PPE, and work practices of the employees. He has surpassed the necessary mine visits ( ) to ensure that mines are providing compliance and a safe workplace for miners. Link leads by example to promote the health and safety for the employees and set a high standard for each person. He provides timely, accurate and detailed second level reviews and field activity reviews for his subordinates. He has a high level of consistency in the enforcement of regulation and policy and reviews databases and spreadsheet to ensure that citations and orders are timely abated. He provides guidance to field offices to address issues during audits and sets goals and plans in place to eliminate reoccurring deficiencies.

TAB 6

# ATTACHMENT 1: WORKSHEET

## General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

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### Managerial Competency Element: Leadership

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 1: Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission and to improve performance consistent with key organizational policies and priorities and economic, political, and social trends affecting the organization.	Strategic Planning Support for Leadership Organizational Performance	<ul style="list-style-type: none"> <li>Demonstrates extensive awareness and understanding of the Department's mission and strategic vision.</li> <li>Actively works to develop and/or implement forward-looking strategic plans that maximize the Agency's ability to achieve its objectives.</li> <li>Employs innovative uses of Agency resources and technologies to meet performance indicators under its strategic plan.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Can effectively communicate and manage the implementation of results-oriented strategic plans to achieve the Agency's goals.</li> <li>Demonstrates an understanding of the Agency's performance indicators.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 2: Anticipates and meets the needs of clients/customers to provide better service. <ul style="list-style-type: none"> <li>Sets standards for customer needs and satisfaction, and meets them.</li> <li>Uses effective business practices including balanced measures to consider customer, stakeholder, and employee perspectives.</li> </ul>	Customer Service	<ul style="list-style-type: none"> <li>Provides the highest quality service to Agency customers, stakeholders, and employees by anticipating, addressing, and proactively managing current and future needs.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Consistently anticipates and meets customers' needs and satisfies standards for effective customer service.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 3: Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results that promote innovation, efficiency, and greater effectiveness.	Innovation & Risk	<ul style="list-style-type: none"> <li>Engenders a culture that encourages employees to take calculated risks to improve performance.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Accepts employees' reasonable mistakes as part of the development process.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6

ATTACHMENT 1: WORKSHEET

General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 4: Links individual performance requirements to key organizational goals.</p> <ul style="list-style-type: none"> <li>Incorporates organizational performance results into decisions about individual performance ratings and recognition.</li> <li>Makes meaningful distinctions between levels of performance in ratings. Recognizes subordinate performance and teamwork.</li> </ul>	<p>Leadership Support Reward &amp; Recognition Teamwork Individual Performance</p>	<ul style="list-style-type: none"> <li>Shares recognition and routinely rewards colleagues' accomplishments.</li> <li>Repeatedly demonstrates an ability to link individual with Departmental and agency performance requirements.</li> <li>Effectively uses agency and interagency teams to achieve agency outcomes.</li> </ul> <p><input checked="" type="checkbox"/></p>	<ul style="list-style-type: none"> <li>Provides opportunities for individual and team development.</li> <li>Appropriately uses available performance, reward and recognition systems.</li> </ul> <p><input type="checkbox"/></p>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 5: Promotes and adheres to the highest ethical standards of public service.</p>	Ethics	<ul style="list-style-type: none"> <li>Acts as a model of integrity personally and establishes an organizational culture that sets expectations of the highest ethical standards of public service among subordinate staff.</li> </ul> <p><input checked="" type="checkbox"/></p>	<ul style="list-style-type: none"> <li>Adheres personally to the highest ethical standards of public service and encourages ethical behavior among subordinate staff.</li> </ul> <p><input type="checkbox"/></p>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6  
ATTACHMENT 1: WORKSHEET

General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

Managerial Competency Element: Resource Management

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 1: Understands the organization's financial processes.</p> <ul style="list-style-type: none"> <li>• Prepares, justifies, and administers the program budget.</li> <li>• Oversees procurement and contracting to achieve desired results.</li> <li>• Monitors expenditures and uses cost-benefit thinking to set priorities.</li> <li>• Develops and implements strategies to reduce erroneous and late payments, prevent Anti-deficiency Act violations, and ensure adequate management controls.</li> </ul>	Financial Management	<ul style="list-style-type: none"> <li>• Displays an exceptional level of awareness and concern for agency expenditures and financial priorities.</li> <li>• Through teamwork and institutional knowledge, leverages agency resources to achieve maximum results.</li> <li>• Engages in the identification of cost saving strategies and efficiencies.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>• Manages agency resources through the utilization and administration of appropriate budget processes and requirements.</li> <li>• Makes decisions based on the agency's financial priorities and expenditures.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 2: Actively recruits to attract and select qualified applicants with the competencies needed by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.</p>	Hiring/Diversity	<ul style="list-style-type: none"> <li>• Manages this with an acute understanding of available hiring flexibilities and utilizes them in order to attract and select qualified applicants.</li> <li>• Sets and meets hiring goals to maintain strength and reduce lapsed FTE.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>• Applies merit principles to develop, select, and manage a diverse workforce.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 3: Understands the impact of technological developments on the organization.</p> <ul style="list-style-type: none"> <li>• Makes effective use of technology to achieve results.</li> <li>• Ensures access to and security of technology systems.</li> </ul>	Technology & Modernization	<ul style="list-style-type: none"> <li>• Identifies and creatively utilizes current and new technologies to maximize the agency's ability to achieve its priorities.</li> <li>• Encourages the use of technology to share information and engage stakeholders.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>• Appropriately utilizes and upgrades technologies to meet agency goals.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6  
ATTACHMENT 1: WORKSHEET

General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 4: Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.	Fair Labor Standards Act	<ul style="list-style-type: none"> <li>In addition, develops and implements strategies that reliably document compliance with FLSA, supplemented by an awareness of staff hours worked to corroborate the effectiveness of these controls.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Makes the Fair Labor Standards Act (FLSA) and DOL policy available to employees and management and conveys expectations for compliance.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Managerial Competency Element: Conflict Building and Communication

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 1: Promotes an open, communicative environment that inspires and encourages service motivation, spirit, pride, and trust. <ul style="list-style-type: none"> <li>Facilitates cooperation and motivates individual staff members/teams to accomplish organizational goals.</li> <li>Manages and resolves conflicts in a positive and constructive manner.</li> </ul>	Communication & Morale	<ul style="list-style-type: none"> <li>Sets an example of accessibility and transparency.</li> <li>Fosters and reinforces a collaborative and engaged environment that inspires and encourages service, motivation, spirit, pride and trust.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Manages an open, communicative environment that serves the agency's mission.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 2: Effectively represents the Department and the organization internally and/or externally. <ul style="list-style-type: none"> <li>Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.</li> </ul>	Internal & External Relations	<ul style="list-style-type: none"> <li>Serves as an effective, reliable, and persuasive representative of the agency and Department of Labor on virtually all matters internal and external to the agency.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Serves as an effective representative of his/her immediate agency/office.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

**TAB 6**  
**ATTACHMENT 1: WORKSHEET**  
**General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)**

**Managerial Competency Element: Problem Solving and Initiative**

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<b>Result 1: Stresses innovation, creativity, and risk-taking.</b> <ul style="list-style-type: none"> <li>Analyzes problems and develops alternative solutions, emphasizing new approaches.</li> <li>Takes calculated risks to move programs forward.</li> </ul>	Innovation & Risk	<ul style="list-style-type: none"> <li>Clearly demonstrates initiative and ability to explore and create alternative solutions to problems.</li> <li>Encourages, promotes, and supports innovative strategies among subordinates.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>An effective problem solver.</li> <li>Recognizes innovation.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Managerial Competency Element: Equal Employment Opportunity and Diversity**

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<b>Result 1: Promotes and maintains a diverse and inclusive workforce.</b> <ul style="list-style-type: none"> <li>Actively recruits and hires from diverse applicant pools.</li> <li>Fosters collaboration with individuals from diverse backgrounds, perspectives, and experience.</li> <li>Ensures that opportunities for growth exist equitably for all employees.</li> <li>Provides fair and equitable recognition of accomplishments for all employees.</li> </ul>	Diversity	<ul style="list-style-type: none"> <li>Promotes and manages an inclusive workforce by championing diversity as a value in all aspects of the agency.</li> <li>Practices effective recruitment efforts to increase the pool of quality candidates from underrepresented groups.</li> <li>Promotes diversity at all grade levels.</li> </ul> <input type="checkbox"/>	<ul style="list-style-type: none"> <li>Takes diversity into account while ensuring fair and nondiscriminatory recruitment, hiring, promotion and recognition.</li> </ul> <input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 6

ATTACHMENT 1: WORKSHEET

General Schedule Evaluation Guidance for Managerial Competency Elements (Matrix)

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 2: Builds, trains, and manages workforce based on organizational goals, budget considerations, and staffing needs.</p> <ul style="list-style-type: none"> <li>Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies.</li> <li>Promptly addresses allegations of prohibited discrimination, harassment, and retaliation. Ensures that EEO principles are adhered to throughout the organization.</li> </ul>	Talent Management Diversity	<ul style="list-style-type: none"> <li>Displays the highest commitment to the identification and/or recruitment, development, promotion and retention of diverse and talented individuals to build leadership capacity throughout the agency.</li> <li>Is an active mentor and gives clear and actionable feedback to subordinates.</li> <li>Upholds EEO principles.</li> <li>Actively encourages and participates in succession planning.</li> </ul>	<ul style="list-style-type: none"> <li>Manages the workforce to meet the needs of the agency by taking into account EEO principles, succession planning, diversity, recruitment, and training.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated



# NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) <b>STRICKLIN, KEVIN G</b>	2. Social Security Number <b>Redacted - Privacy</b>	3. Date of Birth <b>Redacted - Privacy</b>	4. Effective Date <b>04/29/07</b>
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## FIRST ACTION

5-A. Code <b>542</b>	5-B. Nature of Action <b>CONV TO SES CAREER APPT</b>
5-C. Code <b>V2M</b>	5-D. Legal Authority <b>5 USC 3393</b>
5-E. Code	5-F. Legal Authority

## SECOND ACTION

6-A. Code	6-B. Nature of Action
6-C. Code	6-D. Legal Authority
6-E. Code	6-F. Legal Authority

7. FROM: Position Title and Number  
**SUPERVISORY MINING ENGINEER  
00006156 PP1065**

15. TO: Position Title and Number  
**ADMINISTRATOR FOR COAL MINE SAFETY AND  
DLE50125 ES0125**

8. Pay Plan <b>GS</b>	9. Org. Code <b>0880</b>	10. Grade/Level <b>15</b>	11. Step/Rate <b>07</b>	12. Total Salary <b>125,791.00</b>	13. Pay Basis <b>PA</b>
11A. Base Pay <b>111,675.00</b>	11B. Locality Adj. <b>14,116.00</b>	11C. Adj. Base Pay <b>125,791.00</b>	11D. Other Pay <b>.00</b>		

16. Pay Plan <b>ES</b>	17. Org. Code <b>1822</b>	18. Grade/Level <b>00</b>	19. Step/Rate <b>00</b>	20. Total Salary Award <b>140,000.00</b>	21. Pay Basis <b>PA</b>
20A. Base Pay <b>140,000.00</b>	20B. Locality Adj. <b>.00</b>	20C. Adj. Base Pay <b>140,000.00</b>	20D. Other Pay <b>.00</b>		

14. Name and Location of Position's Organization  
**MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF THE ASSISTANT SECRET  
OFC OF THE ADMINISTRATOR FOR C  
COAL DISTRICT 3 OFF. MORGANTOW**

22. Name and Location of Position's Organization  
**MINE SAFETY AND HEALTH ADMINISTRATION  
OFFICE OF THE ASSISTANT SECRET  
OFC OF THE ADMINISTRATOR FOR C**

**DL MID1060000000000000 PP 09 2007**

## EMPLOYEE DATA

23. Veterans Preference <b>1</b>	24. Tenure <b>0</b>	25. Agency Use	26. Veterans Preference for RIF <b>YES X NO</b>
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27. FEGLI <b>G0 BASIC-IX ADDITIONAL</b>	28. Annuitant Indicator <b>9 NOT APPLICABLE</b>	29. Pa. Rate Determinant <b>8</b>
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30. Retirement Plan <b>1 CS</b>	31. Service Comp. Date (Leave) <b>02/05/80</b>	32. Work Schedule <b>F FULL TIME</b>	33. Part-Time Hours Per Biweekly Pay Period
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## POSITION DATA

34. Position Occupied <b>3</b>	35. FLSA Category <b>E</b>	36. Appropriation Code	37. Bargaining Unit Status <b>8868</b>
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38. Duty Station Code <b>51-0100-013</b>	39. Duty Station (City - Country - State or Overseas Location) <b>ARLINGTON ARLINGTON VA</b>
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40. Agency Data	41.	42.	43.	44.
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45. Remarks  
Veteran preference is not applicable to the Senior Executive Service.  
Subject to satisfactory completion of one year SES probationary  
period beginning 4/29/07.  
Employee was guaranteed placement rights during probation.  
Selected from DOL-SES-MSHA-07-02, dated 1/8/07.  
Tenure as used for 5 U.S.C. 3502 is not applicable to the  
Senior Executive Service.

46. Employing Department or Agency <b>DEPARTMENT OF LABOR</b>	50. Signature/Authentication and Title of Approving Official <b>ANDREA BURCKMAN DIRECTOR, OFFICE OF EXEC RESOURC</b>	
47. Agency Code <b>DL N1</b>	48. Personnel Office ID <b>4155</b>	49. Approval Date <b>04/21/07</b>

## NOTIFICATION OF PERSONNEL ACTION

1. Name (Last, First, Middle) <b>STRICKLIN, KEVIN G</b>		2. Social Security Number Redacted - Privacy	3. Date of Birth Redacted - Privacy	4. Effective Date <b>04/29/07</b>
<b>FIRST ACTION</b>		<b>SECOND ACTION</b>		
5-A. Code <b>542</b>	5-B. Nature of Action <b>CONV TO SES CAREER APPT</b>	6-A. Code	6-B. Nature of Action	
5-C. Code <b>V2M</b>	5-D. Legal Authority <b>5 USC 3393</b>	6-C. Code	6-D. Legal Authority	
5-E. Code	5-F. Legal Authority	6-E. Code	6-F. Legal Authority	
7. FROM: Position Title and Number <b>SUPERVISORY MINING ENGINEER 00006156 PF1065</b>		15. TO: Position Title and Number <b>ADMINISTRATOR FOR COAL MINE SAFETY AND DLS0125 ES0125</b>		
8. Pay Plan <b>GS</b>	9. Occ. Code <b>0880</b>	10. Grade/Level <b>15</b>	11. Step/Rate <b>07</b>	12. Total Salary <b>125,791.00</b>
13A. Basic Pay <b>111,675.00</b>	13B. Locality Adj. <b>14,116.00</b>	13C. Adj. Basic Pay <b>125,791.00</b>	13D. Other Pay <b>.00</b>	
14. Name and Location of Position's Organization <b>MINE SAFETY AND HEALTH ADMINISTRATION OFFICE OF THE ASSISTANT SECRET OFC OF THE ADMINISTRATOR FOR C COAL DISTRICT 3 OFF. MORGANTOW</b>		22. Name and Location of Position's Organization <b>MINE SAFETY AND HEALTH ADMINISTRATION OFFICE OF THE ASSISTANT SECRET OFC OF THE ADMINISTRATOR FOR C  DL MI0106000000000000 PP 09 2007</b>		
16. Pay Plan <b>ES</b>		17. Occ. Code <b>1822</b>	18. Grade/Level <b>00</b>	19. Step/Rate <b>00</b>
20A. Basic Pay <b>140,000.00</b>		20B. Locality Adj. <b>.00</b>		20C. Adj. Basic Pay <b>140,000.00</b>
20D. Other Pay <b>.00</b>				
23. Veterans Preference <b>1</b>		24. Tenure <b>0</b>	25. Agency Use	26. Veterans Preference for RIF <b>YES X NO</b>
27. FEGLI <b>G0 BASIC-IX ADDITIONAL</b>		28. Applicant Indicator <b>9 NOT APPLICABLE</b>	29. Pa. Rate Determinant <b>0</b>	
30. Retirement Plan <b>1 CS</b>		31. Service Comp. Date (Leave) <b>02/05/80</b>	32. Work Schedule <b>F FULL TIME</b>	33. Pay- Time Hours Per Biweekly Pay Period
34. Position Occupied <b>3</b>		35. FLSA Category <b>E</b>	36. Appropriation Code	37. Bargaining Unit Status <b>8888</b>
38. Duty Station Code <b>51-0100-013</b>		39. Duty Station (City - County - State or Overseas Location) <b>ARLINGTON ARLINGTON VA</b>		
40. Agency Data		41.	42.	43.
45. Remarks Veteran preference is not applicable to the Senior Executive Service. Subject to satisfactory completion of one year SES probationary period beginning 4/29/07. Employee was guaranteed placement rights during probation. Selected from DOL-SES-MSHA-07-02, dated 1/6/07. Tenure as used for 5 U.S.C. 3502 is not applicable to the Senior Executive Service.				
46. Employing Department or Agency <b>DEPARTMENT OF LABOR</b>		50. Signature/Authentication and Title of Approving Official <b>ANDREA BURCKMAN DIRECTOR, OFFICE OF EXEC RESOURC</b>		
47. Agency Code <b>DL MI</b>	48. Personnel Office ID <b>4155</b>	49. Approval Date <b>04/21/07</b>		

# FY 2011 Performance Management Agreement for Executives

ORIGINAL

1. Executive Name (last, first, middle)  
Stricklin, Kevin G

2. Organization  
MSHA, CMS&H

3. Title, Series, Grade  
Administrator, ES 0880

4. Appraisal Period (mm/dd/yyyy)  
11-29-10 to 09/30/2011

5. Performance Development (Responsibilities and Work Commitments)  
I discussed this plan with employees ☒ Yes ☐ No 1b. Employee written comments are attached ☐ Yes ☒ No

2a. This Agreement links all critical elements to specific Agency Operational Plan goals ☒ Yes ☐ No

2b. This Agreement holds the executive accountable for measurable and observable results ☒ Yes ☐ No

3. Signature of the Rating Official  
[Signature] Date (mm/dd/yyyy) 11/29/2010

4. Signature of the Executive  
[Signature] Date (mm/dd/yyyy) 11/22/2010

5. Performance Review (Mid-Year)  
If Yes, recording history through the appraisal period has been conducted by the Rating Official:  
1. Mid-term progress review has been conducted ☒ Yes ☐ No If No, Explain (attach sheet if more room required):

3. Signature of the Rating Official  
[Signature] Date (mm/dd/yyyy) 26 May 2011

4. Signature of the Executive  
[Signature] Date (mm/dd/yyyy) 5/25/11

1. Managerial Competency Elements	Element Rating
Use Worksheet Attachment 1)	E M NI F
Leadership	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Resource Management	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
Summary Score:	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

2. Organizational Performance Elements	E	M	NI	F
<input checked="" type="checkbox"/> Result 1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/> Result 2	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Result 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Result 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Result 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Summary Score:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Rating Derivation Formula	
Exemplary	Exceed standards for all elements
Highly Effective	Exceed standards for at least three of the Organizational Performance Elements and at least one Managerial Competency element and meet standards for all other elements.
Effective	Meet standards for all elements but does not meet the criteria for Highly Effective
Minimally Satisfactory	Need to improve performance for one or more elements
Unsatisfactory	Fails to meet standards on one or more elements

Annual Performance Review and Rating

1. Indicate performance appraisal rating ☒ Exemplary ☐ Highly Effective ☐ Effective ☐ Minimally Satisfactory ☐ Unsatisfactory

2. Purpose of Appraisal ☐ Interim Rating ☒ Rating of Record

3a. We have discussed this appraisal ☒ Yes ☐ No 3b. Written comments are attached ☐ Yes ☒ No

3c. Executive would like to request a higher level review ☐ Yes ☒ No

4. Signature of the Executive  
[Signature] Date (mm/dd/yyyy) 10/20/11

5a. Rating Official Name (Last, first, middle)  
Silver, Patricia W.

5b. Signature of the Rating Official  
[Signature] Date (mm/dd/yyyy) 10/20/11

6a. Reviewing Official Name (Last, first, middle)  
Gregory, R. M. D.

6b. Signature of the Reviewing Official  
[Signature] Date (mm/dd/yyyy) 10/24/11

7. Signature of the Performance Review Board  
[Signature] Date (mm/dd/yyyy) JAN 17 2012

8. Signature of the Secretary  
[Signature] Date (mm/dd/yyyy) JAN 17 2012

## F. Managerial Competency Elements

### Performance Standards for Leadership

- Result 1:** Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission and to improve performance consistent with key organizational policies and priorities and economic, political, and social trends affecting the organization.
- Result 2:** Stresses innovation, creativity, and risk-taking. Analyzes problems and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move programs forward.
- Result 3:** Effectively represents the Department and the organization internally and/or externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.
- Result 4:** Promotes and maintains a diverse and inclusive workforce. Actively recruits and hires from diverse applicant pools. Fosters collaboration with individuals from diverse backgrounds, perspectives, and experience. Ensures that opportunities for growth exist equitably for all employees. Provides fair and equitable recognition of accomplishments for all employees.
- Result 5:** Anticipates and meets the needs of clients/customers to provide better service. Sets standards for customer needs and satisfaction, and meets them. Uses effective business practices including balanced measures that consider customer, stakeholder, and employee perspectives.
- Result 6:** Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results that promote innovation, efficiency, and greater effectiveness.
- Result 7:** Promotes integrity and adheres to the highest ethical standards of public service.

### Performance Standards for Resource Management

- Result 1:** Understands the organization's financial processes. Prepares, justifies, and administers the program budget. Oversees procurement and contracting to achieve desired results. Monitors expenditures and uses cost-benefit thinking to set priorities. Develops and implements strategies to reduce erroneous and late payments, prevent Anti-decency Act violations, and ensure adequate management controls.
- Result 2:** Builds, trains, and manages workforce based on organizational goals, budget considerations, and staffing needs. Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies. Promptly addresses allegations of prohibited discrimination, harassment, and retaliation. Ensures that EEO principles are adhered to throughout the organization.
- Result 3:** Understands the impact of technological developments on the organization. Makes effective use of technology to achieve results. Ensures access to and security of technology systems.
- Result 4:** Links individual performance requirements to key organizational goals. Incorporates organizational performance results into decisions about individual performance ratings and recognition. Makes meaningful distinctions between levels of performance in ratings and recognizing subordinate performance.
- Result 5:** Promotes an open, communicative environment that inspires and encourages service motivation, spirit, pride, and trust. Facilitates cooperation and motivates individual staff members/teams to accomplish organizational goals. Manages and resolves conflicts in a positive and constructive manner.
- Result 6:** Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.
- Result 7:** Actively recruits to attract and select qualified applicants with the competencies needed by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.

## G. Organizational Performance Elements

Provide Organizational Performance Elements that demonstrate direct linkage with your agency's Operational Plan.

This section should include the major results to be achieved during the period covered by the performance agreement.

### SAMPLE ORGANIZATIONAL PERFORMANCE ELEMENT:

(Outcome) Publish updated policy # XXXX on DOL representatives contact with mine employees, (Measure) report updates of pertinent portions of existing policy (Timeframe) by mid-year 04/30/11, Measure or source of data to determine "Meets" is the number of pertinent portions of xyz policy.

### Performance Element Sample #1

#### 1. Specific Outcome (the result):

Reduce fatalities, injuries and illness in the nation's mines by increasing inspection and enforcement effectiveness.

#### 2. Results Target (i.e. how much, how many) written at the "Meets" level, the result:

- Utilize Key Indicators to monitor and improve enforcement performance and quality. Ensure program accountability for appropriate actions taken for results that fall outside the distinct, predetermined performance levels.
- Ensure Coal Mine Safety and Health complete 100 percent of EOI inspections.
- Monitor use of focused inspections (Pattern of Violations, Impact and Special Emphasis Health inspections) to target mines with specific conditions, problems or compliance issues that merit increased agency attention and enforcement and to ensure appropriate enforcement actions are implemented to reduce over-exposures to dust and noise.
- Initiate systematic reviews of the quality of dust controls in approved mine ventilation and dust control plans to foster continuous improvement.

#### 3. Measure of Outcome (i.e. # of reports, policy/program initiatives, etc.) expressed as a "source of measurement data":

Utilize key indicator reports as well as audit results to determine positive change and consistency of enforcement. Increased inspection and enforcement effectiveness is indicated by long-term improvement in the compliance behavior of the nation's mines and by a downward trend in fatalities, injuries and illness in the nation's mines.

#### 4. Timeframe (i.e. by when, once, quarterly, bi annually)

Through September 30, 2011

#### 5. Links to Operational Plan:

See Pages 4 - 16

#### 6. Narrative (see page 16)

See Attached

### Performance Element Sample #2

#### 1. Specific Outcome (the result):

Reduce accidents, injuries and deaths from mining through more consistent enforcement of the Mine Act, MINER Act and Regulations and timely implementation of corrective actions.

2. Results Target (i.e. how much, how many) written at the "Meets" level, the result:
- Ensure timely abatement of citations/orders.
  - Ensure timely investigation of Hazardous Condition Complaints, 108 and 110.
  - Ensure timely evaluation of Mine and Ventilation plan approvals.
  - Ensure conferences and contested cases are handled appropriately.
  - Monitor program audits, evaluations and reviews to ensure program quality and effectiveness.
3. Measure of Outcome (i.e. # of reports, policy/program initiatives, etc.) expressed as a "source of measurement data":
- Utilize Part 50 database and audit and evaluation results to determine positive trends in injury and fatality rates.
  - Utilize Key Indicators to determine increased consistency in inspection and enforcement effectiveness (e.g. reduction in the number of vacated citations => improved consistency).
  - Hazardous Condition Complaints database tracks the timely investigation and resolution of hazardous conditions.
4. Timeframe (i.e. by when, once, quarterly, bi-annually)  
Through September 30, 2011
5. Links to Operational Plan:  
See Pages 4 - 16
6. Narrative (one page limit)

See Attached

Performance Element Result #3

1. Specific Outcome (the result):  
Maintain a safe and healthful environment by encouraging miner's voice in the workplace, protecting miners from discrimination and supporting open government.
2. Results Target (i.e. how much, how many) written at the "Meets" level, the result:
- Ensure investigations conducted under Sections 103(g), 105(c) are aggressively developed and completed consistent with the Agency's statutory and policy timeframes and in conformance with national policy and procedures.
  - Ensure openness, transparency and timely disclosure when responding to Freedom of Information Act (FOIA) requests.
  - Oversee development of strategies that encourage and improve:
    - o Miner's Voice in the Workplace
    - o Information dissemination to stakeholders and general public
3. Measure of Outcome (i.e. # of reports, policy/program initiatives, etc.) expressed as a "source of measurement data":
- The Hazardous Conditions Complaint database is used to monitor and track the timely investigation and resolution of 103(g).
  - MSHA headquarters and district offices use an access database to monitor and track the timely investigation and resolution of discrimination complaints and temporary reinstatement requests.
  - The Secretary's Information Management System (SIMS) is used to track the timeliness of FOIA requests.
4. Timeframe (i.e. by when, once, quarterly, bi-annually)  
Through September 30, 2011
5. Links to Operational Plan:  
See Pages 13 - 16
6. Narrative (one page limit)

See Attached

Performance Element Result #4

1. Specific Outcome (the result):
2. Results Target (i.e. how much, how many) written at the "Meets" level, the result:
3. Measure of Outcome (i.e. # of reports, policy/program initiatives, etc.) expressed as a "source of measurement data":
4. Timeframe (i.e. by when, once, quarterly, bi-annually)
5. Links to Operational Plan:
6. Narrative (one page limit)

Performance Element Result #5

1. Specific Outcome (the result):
2. Results Target (i.e. how much, how many) written at the "Meets" level, the result:
3. Measure of Outcome (i.e. # of reports, policy/program initiatives, etc.) expressed as a "source of measurement data":
4. Timeframe (i.e. by when, once, quarterly, bi-annually)

5. Links to Operational Plan:

6. Narrative (one page limit)

**H. Other Significant Accomplishments tied to Departmental Initiatives**

*Describe any contributions to Departmental Initiatives and/or other significant accomplishments, by the Executive which are not covered under the Organizational Performance Element Objectives. Limit these descriptive statements to no more than one half page each.*

Attachment 1: Worksheet

TAB 3

Kevin G. Strickland

MSA

ATTACHMENT 1: FY2011 WORKSHEET

Senior Executive Evaluation Guidance for Managerial Competency Elements

Managerial Competency Element: Leadership

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 1: Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission and to improve performance consistent with key organizational policies and priorities and economic, political, and social trends affecting the organization.	Strategic Planning Support for Leadership Organizational Performance	<ul style="list-style-type: none"> <li>Demonstrates extensive awareness and understanding of the Department's mission and strategic vision.</li> <li>Actively works to develop and/or implement forward-looking strategic plans that maximize the Agency's ability to achieve its objectives.</li> <li>Employs innovative uses of Agency resources and technologies to meet performance indicators under its strategic plan.</li> </ul>	<ul style="list-style-type: none"> <li>Can effectively communicate and manage the implementation of results-oriented strategic plans to achieve the Agency's goals.</li> <li>Demonstrates an understanding of the Agency's performance indicators.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 2: Stresses innovation, creativity, and risk-taking. <ul style="list-style-type: none"> <li>Analyzes problems and develops alternative solutions, emphasizing new approaches.</li> <li>Takes calculated risks to move programs forward.</li> </ul>	Innovation & Risk	<ul style="list-style-type: none"> <li>Clearly demonstrates initiative and ability to explore and create alternative solutions to problems.</li> <li>Encourages, promotes, and supports innovative strategies among subordinates.</li> </ul>	<ul style="list-style-type: none"> <li>An effective problem solver.</li> <li>Recognizes innovation.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 3: Effectively represents the Department and the organization internally and/or externally. <ul style="list-style-type: none"> <li>Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.</li> </ul>	Internal & External Relations	<ul style="list-style-type: none"> <li>Serves as an effective, reliable, and persuasive representative of the agency and Department of Labor on virtually all matters internal and external to the agency.</li> </ul>	<ul style="list-style-type: none"> <li>Serves as an effective representative of his/her immediate agency/office.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 3  
ATTACHMENT 1: FY2011 WORKSHEET  
Senior Executive Evaluation Guidance for Managerial Competency Elements

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<b>Result 4: Promotes and maintains a diverse and inclusive workforce.</b> <ul style="list-style-type: none"> <li>Actively recruits and hires from diverse applicant pools.</li> <li>Fosters collaboration with individuals from diverse backgrounds, perspectives, and experience.</li> <li>Ensures that opportunities for growth exist equitably for all employees.</li> <li>Provides fair and equitable recognition of accomplishments for all employees.</li> </ul>	Diversity	<ul style="list-style-type: none"> <li>Promotes and manages an inclusive workforce by championing diversity as a value in all aspects of the agency.</li> <li>Practices effective recruitment efforts to increase the pool of quality candidates from underrepresented groups.</li> <li>Promotes diversity at all grade levels.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Takes diversity into account while ensuring fair and nondiscriminatory recruitment, hiring, promotion and recognition.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Result 5: Anticipates and meets the needs of clients/customers to provide better service.</b> <ul style="list-style-type: none"> <li>Sets standards for customer needs and satisfaction, and meets them.</li> <li>Uses effective business practices including balanced measures that consider customer, stakeholder, and employee perspectives.</li> </ul>	Customer Service	<ul style="list-style-type: none"> <li>Provides the highest quality service to Agency customers, stakeholders, and employees by anticipating, addressing, and proactively managing current and future needs.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Consistently anticipates and meets customers' needs and satisfies standards for effective customer service.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Result 6: Displays an attitude that accepts mistakes as part of the developmental process, as the organization works to achieve results that promote innovation, efficiency, and greater effectiveness.</b>	Innovation & Risk	<ul style="list-style-type: none"> <li>Engenders a culture that encourages employees to take calculated risks to improve performance.</li> </ul> <input checked="" type="checkbox"/>	<ul style="list-style-type: none"> <li>Accepts employees' reasonable mistakes as part of the development process.</li> </ul> <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated



TAB 3  
ATTACHMENT 1: FY2011 WORKSHEET  
Senior Executive Evaluation Guidance for Managerial Competency Elements

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 7: Promotes integrity and adheres to the highest ethical standards of public service.	Ethics	<ul style="list-style-type: none"> <li>Acts as a model of integrity personally and establishes an organizational culture that sets expectations of the highest ethical standards of public service among subordinate staff.</li> </ul>	<ul style="list-style-type: none"> <li>Adheres personally to the highest ethical standards of public service and encourages ethical behavior among subordinate staff.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
Score for Leadership			Exceed	Meet	NI	F

N/R = Not Rated

TAB 3

# ATTACHMENT 1: FY2011 WORKSHEET

## Senior Executive Evaluation Guidance for Managerial Competency Elements

Managerial Competency Element: Resource Management

Kevin G. S. [unclear]  
MSA [unclear]

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<p>Result 1: Understands the organization's financial processes.</p> <ul style="list-style-type: none"> <li>Prepares, justifies, and administers the program budget.</li> <li>Oversees procurement and contracting to achieve desired results.</li> <li>Monitors expenditures and uses cost-benefit thinking to set priorities.</li> <li>Develops and implements strategies to reduce erroneous and late payments, prevent Anti-deficiency Act violations, and ensure adequate management controls.</li> </ul>	Financial Management	<ul style="list-style-type: none"> <li>Displays an exceptional level of awareness and concern for agency expenditures and financial priorities.</li> <li>Through teamwork and institutional knowledge, leverages agency resources to achieve maximum results.</li> <li>Engages in the identification of cost saving strategies and efficiencies.</li> </ul>	<ul style="list-style-type: none"> <li>Manages agency resources through the utilization and administration of appropriate budget processes and requirements.</li> <li>Makes decisions based on the agency's financial priorities and expenditures.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<p>Result 2: Builds, trains, and manages workforce based on organizational goals, budget considerations, and staffing needs.</p> <ul style="list-style-type: none"> <li>Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies.</li> <li>Promptly addresses allegations of prohibited discrimination, harassment, and retaliation. Ensures that EEO principles are adhered to throughout the organization.</li> </ul>	Talent Management Diversity	<ul style="list-style-type: none"> <li>Displays the highest commitment to the identification and/or recruitment, development, promotion and retention of diverse and talented individuals to build leadership capacity throughout the agency.</li> <li>Is an active mentor and gives clear and actionable feedback to subordinates.</li> <li>Upholds EEO principles.</li> <li>Actively encourages and participates in succession planning.</li> </ul>	<ul style="list-style-type: none"> <li>Manages the workforce to meet the needs of the agency by taking into account EEO principles, succession planning, diversity, recruitment, and training.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

**TAB 3**  
**ATTACHMENT 1: FY2011 WORKSHEET**  
**Senior Executive Evaluation Guidance for Managerial Competency Elements**

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	<b>Result 3: Understands the impact of technological developments on the organization.</b> <ul style="list-style-type: none"> <li>Makes effective use of technology to achieve results.</li> <li>Ensures access to and security of technology systems.</li> </ul>	Technology & Modernization	<ul style="list-style-type: none"> <li>Identifies and creatively utilizes current and new technologies to maximize the agency's ability to achieve its priorities.</li> <li>Encourages the use of technology to share information and engage stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>Appropriately utilizes and upgrades technologies to meet agency goals.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Result 4: Links individual performance requirements to key organizational goals.</b> <ul style="list-style-type: none"> <li>Incorporates organizational performance results into decisions about individual performance ratings and recognition.</li> <li>Makes meaningful distinctions between levels of performance in ratings and recognizing subordinate performance.</li> </ul>	Leadership Support Reward & Recognition Teamwork Individual Performance	<ul style="list-style-type: none"> <li>Shares recognition and routinely rewards colleagues' accomplishments.</li> <li>Repeatedly demonstrates an ability to link individual with Departmental and agency performance requirements.</li> <li>Effectively uses agency and interagency teams to achieve agency outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>Provides opportunities for individual and team development.</li> <li>Appropriately uses available performance reward and recognition systems.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<b>Result 5: Promotes an open, communicative environment that inspires and encourages service motivation, spirit, pride, and trust.</b> <ul style="list-style-type: none"> <li>Facilitates cooperation and motivates individual staff members/teams to accomplish organizational goals.</li> <li>Manages and resolves conflicts in a positive and constructive manner.</li> </ul>	Communication & Morale	<ul style="list-style-type: none"> <li>Sets an example of accessibility and transparency.</li> <li>Fosters and reinforces a collaborative and engaged environment that inspires and encourages service, motivation, spirit, pride and trust.</li> </ul>	<ul style="list-style-type: none"> <li>Manages an open, communicative environment that serves the agency's mission.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>

N/R = Not Rated

TAB 3  
ATTACHMENT 1: FY2011 WORKSHEET  
Senior Executive Evaluation Guidance for Managerial Competency Elements

N/R	Evaluation Element	What This Includes	Exceed	Meet	NI	F
<input type="checkbox"/>	Result 6: Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.	Fair Labor Standards Act	<ul style="list-style-type: none"> <li>In addition, develops and implements strategies that reliably document compliance with FLSA, supplemented by an awareness of staff hours worked to corroborate the effectiveness of these controls.</li> </ul>	<ul style="list-style-type: none"> <li>Makes the Fair Labor Standards Act (FLSA) and DOL policy available to employees and management.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Result 7: Actively recruits to attract and select qualified applicants with the competencies needed by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.	Hiring/Diversity	<ul style="list-style-type: none"> <li>Manages this with an acute understanding of available hiring flexibilities and utilizes them in order to attract and select qualified applicants.</li> <li>Sets and meets hiring goals to maintain strength and reduce lapsed FTE.</li> </ul>	<ul style="list-style-type: none"> <li>Applies merit principles to develop, select, and manage a diverse workforce.</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>
Score for Resource Management			Exceed	Meet	NI	F
Summary Score for Managerial Competency			Exceed	Meet	NI	F

N/R = Not Rated

**RATING JUSTIFICATION for Kevin G. Stricklin:**

**Kevin G. Stricklin's Exemplary Performance is in support of the Department of Labor's, MSHA's mission to prevent death and disease and injury from mining, as defined by the Agency's outcome goals and strategies, (Aligns with FY 2011 Operating Plan section entitled Outcome Goals: Strategic, Long-term, and Short-term, See pages 1-19).**

Mr. Stricklin's 2011 Exemplary Performance Rating is based upon his significant contributions to the Mine Safety and Health Administration from October 1, 2010 – September 30, 2011 while serving as the Administrator, Coal Mine Safety and Health (Coal) Mine Safety and Health.

Through his exceptional leadership the efforts and achievements of Coal Mine Safety and Health speak for themselves. He not only met the goals of the 2011 Operating Plan by reaching 100% completion of mandated inspection and high hazard impoundments but he also met the goal set for impact and respirable coal dust inspections. He continued to keep a total of almost 1200 personnel focused on protecting miners' safety and health as well as continued to strive for improvements within his Program Area such as consistency in enforcement, the large backlog of contested cases, conducting Field Office Supervisor Training as a proactive response to UBB, operating within our budgets and hiring where needed.

Mr. Stricklin proved his exemplary performance by continuing to work across Program Areas in his efforts to improve his own. Through out the year he was in constant contact with A&M regarding hiring and budget management and on several occasions he met with the NCFL. He and EPD have worked to ensure CMI entry-level classes could be scheduled to match the pace of hiring, that adequate retraining classes were being offered to ensure his journeymen enforcement personnel could be trained, ensured and that there was adequate space and time to conduct Field Office Supervisor training. He relied upon Technical Support on many occasions to collaboratively author many directives affecting the health and safety of the mining community, ensured that as the National Air and Dust lab moved from Coal to Technical Support that personnel and funding would be handed over as well to ensure the continued success of the lab and finally had to utmost confidence in the Mine Emergency Division to train our Mine Emergency Members. Mr. Stricklin worked with PEIR to ensure that funding was available to ensure a large, needed computer purchase would become reality for his field personnel. He continued to provide personnel to assist, guide, and advise PEIR on matters affecting the databases and systems that could affect his Program Area. He worked with the Assessments Office to ensure that PPOV mines were notified and monitored and that allegations of miners' rights infractions were investigated. He worked collaboratively with Metal Nonmetal to ensure that where enforcement issues could be addressed consistently they were, he and the Administrator for MNM work closely to assist each other in times of need with the sole intention of the protection of the miner. Finally, on multiple occasions provided interviews, presentations, etc. to the

Kevin G. Stricklin  
Appraisal Period 10/01/2010 – 09/30/2011

**Managerial Competency Element 1: Leadership**

Throughout this rating period, Mr. Stricklin's performance is in support of MSHA's FY 2011 Operating Plan Short-Term Outcome Goals for Health, Safety, and Worker Protection, specifically #2, To protect the safety and health of America's miners and mine communities. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).*

Throughout this rating period, Mr. Stricklin has provided outstanding leadership and corporate direction to the nearly 1200 Coal Mine Safety and Health employees at the Headquarters in Arlington, Virginia and to the 12 Districts and 43 field offices across the entire United States. His exemplary leadership skills have inspired the cooperation and confidence of Coal Mine Safety and Health employees throughout the entire organization to produce optimal results and dedication to the mission. His efforts and leadership demonstrated his extensive awareness and understanding of the Department's mission and strategic vision.

- **Result 1: Long and Short-term Strategic Planning.** Mr. Stricklin employed innovative uses of Agency resources and technologies to meet performance indicators under its strategic plan by empowering each his HQ Divisions to continue to attack problems and/or negative trends; including areas such as Safety, Health, internal Administrative areas and taking the steps necessary to ensure that all workers were treated fairly however utilizing the necessary steps to ensure that our workforce was able to meet the physical requirements needed to perform enforcement activities. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).*

- **Result 2: Stresses Innovation, Creativity and Risk-Taking.** Mr. Stricklin clearly demonstrated initiative and ability to explore and create alternative solutions to problems by encouraging and empowering but not micro-managing his Managers to be creative with their efforts to manage their programs, e.g. developing slogans for Winter Alert, stickers for the Coal Miners emphasizing various hazards, developing and disseminating safety and health flyers, etc...; giving numerous personnel opportunities to "act" or be temporarily promoted into positions outside their area as a result of a drain on resources; and supporting other program areas initiatives such as the completion of the transfer of the National Air and Dust lab functions from CSMH to Technical Support. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).*

- **Result 3: Represents the Department Internally and Externally.** Mr. Stricklin served as an effective, reliable, and persuasive representative of the Agency and DOL by continuing to be the face and voice of MSHA and the DOL during the UBB investigation; representing MSHA in a multitude of Senate, House, and WV delegation briefings as well as congressional mine visits and representing MSHA at the 10-year anniversary of the Jim Walters accident. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).*

- **Result 4: Diverse Workforce.** Mr. Stricklin practiced effective recruitment efforts to increase the pool of quality candidates as well as supported Coal's efforts in accommodating employees when it did not affect the mission. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-18 of the Plan).*

• **Result 5: Provide Better Service to Clients and Customers.** Mr. Stricklin provided the highest quality service to Agency customers, stakeholders, and employees by continuing to meet with the families of the UBB victims to provide updates on the investigation and providing an accident investigation briefing to the general public and media; participating in a number of gatherings or speaking engagements including Coal inspector orientations and graduations, various Coal retraining classes; the governor of WV, and various coal companies; and dealing with internal issues. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pg. 13 of the Plan).*

• **Result 6: Accepts Mistakes as Development Process.** Mr. Stricklin accepted a culture that encourages employees to take calculated risks to improve performance. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).*

• **Result 7: Integrity and Ethics.** Mr. Stricklin demonstrated integrity and adheres to the highest ethical standards and by holding his employees to a high level of standards. Reacting quickly but fairly to remedy behavior and performance issues from his top managers to first level employees. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).*

The manager F. Stricklin this competency.

### Managerial Competency Element 2: Resource Management

Mr. Stricklin's throughout this rating period, in support of MSHA's FY 2011 Operating Plan Short-Term Outcome Goals for Health, Safety, and Worker Protection, specifically #2, To protect the safety and health of America's miners and mine communities. *Links to Operational Plan: Organizational improvements support all seven strategies of the FY 2011 Operating Plan. (See pp. 4-16).*

Mr. Stricklin has displayed an exceptional level of awareness and concern for agency expenditures and financial priorities. He consistently provided guidance and support to the districts and headquarters staff in effectively managing budgetary resources.

- **Result 1: Financial Management.** Mr. Stricklin managed a budget of approx 160 million whereby 76% is attributed to payroll, 17% to overhead, and 10% to recurring costs leaving CMSH about 0.6% to deal with unplanned purchases. CMSH ended the FY at about \$350k in the red which is exceptional considering the on-going UBB investigation; budget meetings were held between Mr. Stricklin's staff and MSHA's Budget Officer to ensure a transparent operation. *Link to Operational Plan: Supports all aspects of MSHA's FY 2011 Operating Plan. Directly linked to the development and execution of FY 2011 Inputs (budgetary and human resources described in Section 4 of the Plan) and Outputs and Performance Accountability (Sections 3 and 5). See pp. 13-18 of the FY 2011 Plan.*

- **Result 2: Talent Management.** Mr. Stricklin displayed the highest commitment to the identification and/or recruitment, development, promotion and retention of diverse and talented individuals to build leadership capacity throughout the agency by offering current employees the opportunity to act in vacant positions to promote talent and growth. Due to the UBB investigations and attrition at the end of the FY, CMSH had approximately 30 – 35 personnel detailed or temporarily promoted into different positions. In FY 11 CMSH conducted 12 testing sessions in 8 of the 12 districts; he ensured that a variety of enforcement retraining classes was made available and attended by personnel holding authorized representative (AR) cards; and provided training for the Coal Field Office Supervisors to specifically target their needs. *Link to Operational Plan: and Outputs and Performance Accountability (Sections 3 and 5). See pp. 13-18 of the FY 2011 Plan.*

- **Result 3: Technology and Modernization.** Mr. Stricklin identified and creatively utilized current and new technologies to maximize the agency's ability to achieve its priorities by participating in the Rules to Live By II training and continuing to develop in house solutions in order to better track data. *Link to Operational Plan: New laptop and desktop computers for Coal field inspectors directly link to FY 2011 Operating Plan Strategy 1, "Increase Inspection and Enforcement Effectiveness." See pp. 5-7 of the Plan.*

- **Result 4: Leadership Support, Reward & Recognition, Teamwork, Individual Performance.** Mr. Stricklin repeatedly demonstrated ability to link individuals with Departmental and Agency performance requirements by allowing districts to reward employees through performance and instant good job awards and recognizing personnel through the Secretary's Honor Award Program. *Link to Operational Plan: Management improvements and improved communication support all seven strategies of the FY 2011 Operating Plan. See pp. 4-18.*

- **Result 5: Communication and Morale.** Mr. Stricklin fostered and reinforced a collaborative and engaged environment that inspired and encouraged service, motivation, spirit, pride, and trust by practicing an open door policy and brainstorming sessions empowering employees to share ideas; developed a climate of motivation, participation and opportunities for employee initiative; immediately and effectively investigated and addressed complaints filed whether it be anonymous, mine operators, or other employees through using internal personnel and/or internal departments to maintain integrity of investigation and to ensure fair and unbiased decisions; personally served as mediator on EEO complaints in an attempt to resolve issue before they proceeded to next step; routinely held conference calls with District personnel to encourage and promote their efforts in support of the Agency's mission and recognizing, reacting and implementing a remedy with respect to conduct or performance related



**Organization Element Result #1: Reduce fatalities, injuries and illness in the nation's mines by increasing inspection and enforcement effectiveness. *Links to Operational Plan: Organizational improvements support all three results of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).***

**Fatal Injury Incidence Rate:**

FY 2011 Target: .0404

FY 2011 Result: .0113 through 3<sup>rd</sup> qtr

**All Injury Incidence Rate:**

FY 2011 Target: 3.28

FY 2011 Result: 3.28 through 3<sup>rd</sup> qtr

**Overexposures to Noise:**

FY 2011 Target: 2.99

FY 2011 Result: 2.72

**Overexposures to Dust:**

FY 2011 Target: 6.32

FY 2011 Result: 5.76

- CSMH initiated and has continued to conduct "impact inspections". Coal selected mines that would represent potential explosion hazards. Through 11 months of the FY, CSMH conducted 129 impact inspections. In FY11, these inspections resulted in 2,082 citations, 176 Orders, 10 Safeguards with an average S&S rate of 46.42%;
- There were over 19,000 events opened and over 93,000 citations and orders issued.
- CSMH is on a record setting pace for lowest fatalities;
- Ensured maximum use of resources despite at one time over 40 details and temporary promotion ongoing due to UBB and attrition;
- 3 entry level inspector training classes were started in FY11 and 4 classes graduated;
- 13 mines received notice of Potential Pattern of Violation (PPOV), 2 were placed back on a PPOV status after concluding their compliance levels fell to unacceptable levels, and 2 coal mining operations were placed on POV – a first in the history of the Mine Act;
- For the first time, MSHA/CSMH filed with the US District Court a motion for preliminary injunction (section 108(a)(2)) of the Mine Act against Freedom Energy located in KY;
- Key Indicator reports were utilized as a management tool;
- Achieved 100% completion of the mandatory safety and health inspections;
- The split of District 4 became a reality in May of 2011;
- Issued safety alerts, safety flyers, fatality alerts, and various materials to distribute to coal miners such as alerts regarding Communication and Tracking Distress Features and Storm Run Off and Mine Water Accumulations;
- Reviewed, along with his staff, all fatalities and draft enforcement actions which were contributory to fatal accidents;
- Continued using two teams of inspection personnel to conduct health inspections, respirable dust sampling and evaluation of dust controls. Mines were selected for inspections based on criteria such as:
  - 1) Difficulty complying with the applicable respirable dust standard.
  - 2) Low-weight Designated Occupation Samples (unreasonable concentration for occupation sampled).
  - 3) High quartz levels in respirable dust.
  - 4) Unreasonable/insufficient dust controls specified in the approved ventilation plan.
  - 5) Operator or MSHA samples not collected during time when unit is producing normal amounts of material (unrepresentative samples of normal mining operations);
- Over the course of the FY, the dust teams inspected 16 mines in 4 districts, collected over 200 valid respirable dust samples. The dust teams issued a total of 173 citations of which 127 were related to health and 46 were related to safety; and
- During FY11 a higher percentage of inspections, 63% were full sampling inspections, compared to 45% (22 mines) of FY10 inspections.

The manager Exceeds this competency.

**Organization Element Result #2: Reduce the fatalities and injuries in the Nation's Coal mines by increasing inspection and enforcement effectiveness.**

**Mr. Stricklin's performance in this element directly supports MSHA's FY 2011 Operating Plan Short-Term Outcome Goals for Health, Safety, and Worker Protection. *Links to Operational Plan: Organizational improvements support all three results of the FY 2011 Operating Plan. (See pp. 4-16 of the Plan).***

- Coal Mine Safety and Health was the sole author or co-authors on 22 new and 41 reissued Safety/Health Information Bulletins and Instruction Letters. Examples include Protecting Miners from Hazards Related to Rib Falls, Run-Through Check Curtains, Inspection of Post-Accident Communication and Electronic Tracking Systems, and Updated Procedures for Inspection of Seals;
- All Coal Authorized Representatives (AR's) completed the Rules To Live By II training course;
- Promoted and emphasized to the Districts that all AR's receive appropriate retraining to hone their enforcement knowledge;
- Continued to promote consistency in enforcement measures through various means such as managers' meetings and conference calls, and a two-week training course for our Field Office Supervisors;
- Indications of lacking oversight were addressed at the highest levels of the District, to ensure that the District Manager was aware that ultimately he/she was responsible for the expectations he/she put on the district personnel;
- Ensured that poor performance, misconduct and errors are quickly dealt with, e.g. this FY there was over 30 actions taken against employees. These actions included actions such as termination to suspensions due to failure to following inspection procedures;
- In order to maximize the availability of enforcement personnel, efforts were made to properly address issues of temporary vs permanent medical inability to perform essential functions;
- Directly and through staff contributed to accident prevention and reduction strategies. Mr. Stricklin and staff traveled to districts, various meetings and conferences, Inspector orientations and graduations as well as met with specific mine operators and associations to discuss key initiatives; and
- Indicator reports were reviewed, monitored and analyzed to track individual and district performance, the other national databases were regularly utilized (time utilization, IPAL uploads, timely citation terminations, etc.).

The manager exceeds this competency.

**Organization Element Result #3. Maintain a safe and healthful environment by encouraging miner's voice in the workplace, protecting miners from discrimination and supporting open government.**

Mr. Stricklin's performance in this element directly supports MSHA's FY 2011 Operating Plan Short-Term Outcome Goals for Health, Safety, and Worker Protection. *Links to Operational Plan: Organizational improvements support all three results of the FY 2011 Operating Plan. (See pp. 13-16 of the Plan).*

- Monitored inspection data and the level of consistency in inspections. Audits were conducted and discrepancies were corrected;
- Continued to monitor and track accountability reviews to ensure compliance with recommendations; and
- Ensured that enforcement personnel made mine visits to determine if the level of enforcement was effective and consistent with the conditions and practices in the mine.

CMSH had representatives on rule making committees:

- Proposed Rule on Proximity Detection Systems for Continuous Mining Machines in Underground Coal Mines;
  - Proposed Rule on Proximity Detection Systems for Underground Mines;
  - Rock Dust;
  - Respirable Silica;
  - Examination of Work Areas in Underground Coal Mines for Violations of Mandatory Health or Safety Standards;
  - Pattern of Violations; and
  - Lowering Miners' Exposure to Coal Mine Dust, Including Continuous Personal Dust Monitors.
- 
- Resources were provided to ensure openness, transparency and disclosure when responding to all FOIA's;
  - In FY11 CMSH, not including the carry over, received 1335 FOIAs, Completed 1360 FOIAs and ended the Year with 118 still pending at the end of the FY;
  - Various materials were developed to educate and inform Miners of their Rights. Talking points were given to the inspectors;
  - Miners were given a Miners' rights Trifold Brochure, Pocket Card, and sticker;
  - Miners were told of MSHA's website "A Guide to Miners' Rights and Responsibilities" as well as information available from the Mine Academy including A Guide to Miners' rights and Responsibilities – DVD; and
  - Coal received approximately 1179 hazardous condition complaints during FY2011. A final decision had been reached for 1128 of those complaints, approximately 334 (30%) of which were positive findings.

The manager Elwood this competency.



## Performance Management Plan for Executives

ORIGINAL

A. General Information	
1. Executive Name (last, first, middle) Stricklin, Kevin G.	2. Organization DOL/MSHA/Coal Mine Safety and Health
3. Title, Series, Grade Administrator, Coal Mine Safety and Health, ES-1822-00	4. Appraisal Period (mm/dd/yyyy) 10/01/2009 to 09/30/2010

1. I certify that this performance plan contains accurate performance elements and standards that:	<input checked="" type="checkbox"/> Link all critical elements to a specific Department, Agency, and/or organizational strategic goal.
	<input checked="" type="checkbox"/> Hold the executive accountable for measurable and observable results.
	<input checked="" type="checkbox"/> Link to the executive's position description and reflect the duties and responsibilities assigned to the executive.

2. Rating Official Signature <i>[Signature]</i>	Date (mm/dd/yyyy) 01/06/10
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3. Rating Official Name (last, first, middle) Davis, Michael Allen
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4. Rating Official Title Deputy of Operations
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5. Prototype Standard? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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C. Position Description Certification	
1. Position description is correct? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, explain below.)	2. Rating Official Signature <i>[Signature]</i>

Date (mm/dd/yyyy) 01/06/10	
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3. Rating Official Name (last, first, middle) Davis, Michael Allen
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4. Rating Official Title Deputy of Operations
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D. Establishment of the Performance Management Plan	
1. We have discussed this plan and written comments are attached. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	2. Executive Signature <i>[Signature]</i>

Date (mm/dd/yyyy) 12/15/2009	
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3. Rating Official Signature <i>[Signature]</i>	6. Reviewing Official Signature <i>[Signature]</i>
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Date (mm/dd/yyyy) 01/06/10	Date (mm/dd/yyyy) 01/06/2010
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4. Rating Official Name (last, first, middle) Davis, Michael Allen	7. Reviewing Official Name (last, first, middle) Wagner, Gregory R.
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5. Rating Official Title Deputy of Operations	8. Reviewing Official Title DAS
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E. Mid-Term Progress Review Certification	
1. The mid-term progress review has been conducted. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If No, Explain below.)	3. Rating Official Signature <i>[Signature]</i>

Date (mm/dd/yyyy) 5/12/10	
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4. Rating Official Name (last, first, middle) Wagner, Gregory R.
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5. Rating Official Title Deputy Assistant Secretary for Policy
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F. Performance Appraisal and Rating	
1. Indicate performance appraisal and rating below.	2. We have discussed this appraisal, written comments are attached. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<input checked="" type="checkbox"/> Exemplary Exceed standards for all elements	
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<input type="checkbox"/> Highly Effective Exceed standards for at least three of the Organizational Performance Elements and at least one Managerial Competency element and meet standards for all other elements	
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<input type="checkbox"/> Effective Meet standards for all elements but does not meet the criteria for Highly Effective	
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<input type="checkbox"/> Minimally Satisfactory Need to improve performance for one or more elements	
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<input type="checkbox"/> Unsatisfactory Fail to meet standards on one or more elements	
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3. Purpose of Appraisal <input type="checkbox"/> Interim Rating <input checked="" type="checkbox"/> Rating of Record	
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4. Rating Official Signature <i>[Signature]</i>	6. Executive Signature <i>[Signature]</i>
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Date (mm/dd/yyyy) 10/22/2010	Date (mm/dd/yyyy) 10/23/2010
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5. Rating Official Name (last, first, middle) Joseph A. Main	7. Reviewing Official Signature <i>[Signature]</i>
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8. Reviewing Official Name (last, first, middle) Joseph A. Main	Date (mm/dd/yyyy) 10-22-2010
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9. Chair, Performance Review Board Signature <i>[Signature]</i>	10. Secretary of Labor Signature <i>[Signature]</i>
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Date (mm/dd/yyyy) JAN 10 2011	Date (mm/dd/yyyy) JAN 10 2011
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# Performance Summary 1. For each element, select the appropriate Element ratings: E = Exceed; M = Meet; NI = Need to Improve; F = Fail

Managerial Competency Elements	Element Rating			
	E	M	NI	F
Leadership	X			
Resource Management	X			

Organizational Performance Elements	Element Rating			
	E	M	NI	F
Result 1	X			
Result 2	X			
Result 3	X			
Result 4	X			

## 4. Other Significant Accomplishments

1. Please describe other significant accomplishments in the space below.

## 1. Leadership

### Performance Standard for Meet

- Develops and maintains long and short-term strategic planning to facilitate the achievement of the Agency's mission, and improve performance consistent with key organizational policies and priorities and economic, political, and social trends affecting the organization
- Anticipates and meets the needs of clients/customers to provide better service. Sets standards for customers' needs and satisfaction, and meets them. Uses effective business practices including balanced measures that consider customer, stakeholder, and employee perspectives
- Stresses innovation, creativity and risk-taking. Analyzes problems and develops alternative solutions, emphasizing new approaches. Takes calculated risks to move program forward.
- Displays an attitude that accepts mistakes as part of the development process, as the organization works to achieve results that promote innovation, efficiency, and greater effectiveness
- Effectively represents the Department and the organization internally and externally. Actively engages the cooperation of internal and external stakeholders in working on common tasks or group projects; shares work and decision-making with others.
- Demonstrates integrity and adheres to the highest ethical standards of public service
- Promotes and maintains a diverse and inclusive workforce by actively recruiting and hiring from diverse applicant pools, fostering collaboration with individuals from diverse backgrounds, perspectives, and experiences; ensuring opportunities for growth exist equitably for all employees; and providing fair and equitable recognition of accomplishments for all employees.

Narrative

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## 2. Resource Management

### Performance Standard for Meet

- Understands the organization's financial processes. Prepares, justifies, and administers the program budget. Oversees procurement and contracting to achieve desired results. Monitors expenditures and uses cost-benefit thinking to set priorities. Develops and implements strategies to reduce erroneous and late payments, prevent Anti-deficiency Act violations, and ensure adequate management controls.
  - Builds, trains, and manages workforce based on organizational goals, budget considerations, and staffing needs. Ensures continuing application of, and compliance with, applicable Equal Employment Opportunity (EEO) laws, regulations, and policies. Promptly addresses allegations of prohibited discrimination, harassment, and retaliation; ensures EEO principles are adhered to throughout the organization.
  - Understands the impact of technological developments on the organization. Makes effective use of technology to achieve results. Ensures access to and security of technology systems.
  - Links individual performance requirements to key organizational goals. Incorporates organizational performance results into decisions about individual performance ratings and recognition. Makes meaningful distinctions between levels of performance in ratings and recognizing subordinate performance.
  - Promotes an open, communicative environment that inspires and encourages service motivation, spirit, pride, and trust. Facilitates cooperation and motivates individual staff members/teams to accomplish organizational goals. Manages and resolves conflict in a positive and constructive manner.
  - Prevents staff from working unauthorized overtime hours by consistently applying Fair Labor Standards Act (FLSA) and DOL policy regarding overtime, maintaining an awareness of staff hours worked and organizational goals accomplished, and ensuring staff are knowledgeable of how FLSA designation impacts overtime eligibility and authorization.
  - Develops, implements, and maintains strategic and operational plans to facilitate the achievement of program responsibilities assigned under the American Recovery and Reinvestment Act (ARRA) provisions, consistent with the Secretary's enduring vision of *Good Jobs for Everyone*. Assures that allocated ARRA funds are administered in accordance with the Department's "Operating Plan for Departmental Management Funds in the American Recovery and Reinvestment Act", and complies with Departmental requirements for accurate recording and reporting of ARRA-related activities and resource utilization.
  - Actively recruits to attract and select qualified applicants with the competencies needed to successfully meet Departmental Fiscal Year 2010 hiring goals by embracing the use of available hiring flexibilities, developing robust recruitment strategies, and maximizing the use of technology. Applies merit principles to develop, select, and manage a diverse workforce.
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### Narrative

~~Provide four results-specific objectives that demonstrate linkage with the Secretary's Vision of Good Jobs for Everyone. This section should include the major results to be achieved during the period covered by the performance agreement. Results need to be clearly identified and measurable. They should be phrased in a manner that will leave no doubt about whether the results were achieved; however, the results should not include detailed milestones or descriptions of the process and methods used to get the results. Associated performance goals must be referenced in narratives prepared by the Rater in support of the executive's performance, under each results-specific objective.~~

Result #1

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Outcome Goal 10 -- Voice in the Workplace:

Reduce the mining fatality injury incidence rate in the Nation's Coal mines in accordance with the performance goals and indicators.

Reduce the ALL injury Incidence Rate in the Nation's Coal mines in accordance with the performance goals and indicators.

Monitor mine safety and health program area to ensure that citations/orders are timely terminated, Hazard Condition Complaints are timely processed, conferences and contested cases are handled appropriately, 105 (c) and 110 cases have been timely investigated and mine plan approvals are evaluated in a timely manner.

Performance Standard

A 5% reduction in FY10 from the average number of fatalities for FY2005 -- FY2009.

The status of citations issued is monitored for timeliness of abatement. Performance will be measured by the degree to which the District is able to terminate citations within the period established by policy for abatement, Hazard Condition Complaints are timely processed, conferences and contested cases are handled appropriately, 105(c) and 110 cases have been timely investigated and mine plan approvals are evaluated in a timely manner. Progress will be measured by using a variety of reports.

Narrative





Result #2

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 -- Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 -- Voice in the Workplace:

Reduces fatalities and injuries in the Nation's Coal mines by using the MSHA Key Indicators and other reports to direct resources to monitor and improve enforcement performance and quality. Incumbent monitors MSHA Coal Key Indicator and other reports for performance results outside the acceptable norms and averages for the Coal Districts' unique and distinct performance levels. Incumbent understands the effects of each District's geography and work load when determining acceptable average performance baselines.

Performance Standard

The incumbent demonstrates the use of the MSHA Key Indicators and other reports in the daily managerial decision-making process, demonstrates an understanding of the root causes for variances in monthly reporting, assigns responsibility for the variances, accounts for their occurrence and remedy where applicable and shares best practices with relevant MSHA employees. The incumbent must ensure that the completion rate of all E01 inspections is 100%. Exception to this only may be granted if the incumbent can demonstrate supporting aberrations beyond the control of the incumbent's management ability that prevented 100% completion. The completion rate of all E01 inspections at 100% will be for all coal mines nationwide.

Narrative



Result #3

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fail

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 – Voice in the Workplace:

Decrease by 2% per year from the previous year's actual performance or target, the percentage of dust and noise samples taken with results that are above the allowable limits.

Performance Standard

Focused inspections are used to target the most egregious and persistent violators; conduct special emphasis respirable coal mine dust and noise inspections in FY 2010; continually review noise controls in situations of continuing non-compliance to determine if all feasible noise controls have been applied; revise and improve coal mine dust-related inspections based on lessons learned in the "Dust Busters" effort; conduct quarterly reviews of sampling data; initiate systematic reviews of the quality of dust controls in approved mine ventilation and dust control plans during the six-month review of the plans to foster continuous improvement.

Narrative

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Result #4

☒ Exceed ☐ Meet ☐ Need to Improve ☐ Fair

In support of the Secretary's Vision of Good Jobs for Everyone through Outcome Goal 2 – Securing safe and healthy workplaces, wages and overtime, particularly in high-risk industries and Goal 10 – Voice in the Workplace:

Use all available tools to reduce and/or eliminate the inconsistent enforcement of the Mine Act, MINER Act, and the deficiencies identified in accountability, district and PEER reviews.

Incumbent will monitor the Accountability reviews that have been conducted to ensure consistency in enforcing the law and review findings noted in such reviews and timely implement corrective actions.

Oversee the Agency's renewed commitment to Open Government primarily through the administration of Freedom of Information Act requirements.

Provide the necessary leadership and resources to demonstrate the Agency's commitment to miners' voice in the workplace.

Supports DOL's Continuity of Operations (COOP) activities.

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Performance Standard

Required Mine visits are made; repeat audit findings are reduced or eliminated, personnel are trained as necessary, field activity and second level reviews are completed, deficiencies are timely addressed; there is consistency in citations/orders issued, Hazard Condition Complaints are processed following SOPs, conferences and contested cases are not modified or vacated at an unreasonable rate; 105(c) and 110 cases have been investigated in accordance with the handbook, policies and procedures and mine plan approvals are evaluated accurately and thoroughly.

Provides the necessary leadership and resources to ensure openness, transparency and timely disclosure when responding to all Freedom of Information Act requests.

Strategies and initiatives support the Agency's commitment in assuring that miners are free to exercise their legal right to identify hazardous conditions and request Agency inspections without discrimination by overseeing the programs designed to empower miners to request and receive appropriate Agency response and protection.

Provide liaison support to and coordination with the DOL for Continuity of Operations (COOP) activities, and provide executive leadership by assigning appropriate resources for COP implementation within the Agency.

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Narrative

Narrative  
Kevin G. Stricklin  
Appraisal Period 10/01/2009 – 09/30/2010  
Rating of Record: EXCELLENT

**Managerial Competency Element 1: Leadership**

Mr. Stricklin's performance in this element directly supports achievement of the Department of Labor's Strategic Goal 2 – Secure Safe and Healthy Workplaces – and Performance Goal – Reduce work-related fatalities, injuries and illnesses in mines.

Throughout this rating period, Mr. Stricklin has provided outstanding leadership and corporate direction to the Coal Mine Safety and Health program at the Headquarters in Arlington, Virginia and to the 11 Districts and 44 field offices across the entire United States. His exemplary leadership skills have inspired the cooperation and confidence of Coal Mine Safety and Health employees throughout the entire organization to produce optimal results and dedication to the mission. Mr. Stricklin virtually became the face and voice of MSHA as the nation and world watched the rescue/recover efforts in the aftermath of the Upper Big Branch Explosion. His efforts and leadership demonstrated his extensive awareness and understanding of the Department's mission and strategic vision. He actively worked to develop and/or implement forward-looking strategic plans that maximized the Agency's ability to achieve its objectives and to keep the nearly 1200 employees of Coal Mine Safety and Health focused on the fact that their efforts made a difference.

- **Result 1: Long and Short-term Strategic Planning.** Mr. Stricklin employs innovative uses of Agency resources and technologies to meet performance indicators under its strategic plan by:
  - Establishing performance goals that are challenging, consistent, attainable and in concert with the performance agreement items.
  - Empowering each his HQ Divisions to continue to attack problems and/or negative trends, including areas such as Safety, Health, and internal Administrative areas.
  - Providing dedicated personnel to assist in the writing of the proposed rule on Lowering Miners' Exposure to Coal Mine Dust and the Use of the Continuous Personal Dust Monitor (CPDM).
  - Identifying over 70 mines nationwide to be the most egregious and persistent violators and performed impact inspections at these operations.
  - Conducting Special Emphasis blitzes and inspections that served a dual purpose of strong enforcement while efficiently using resources, i.e. inspections also contributed to the mandatory inspections.
  - Continuing with efforts to split District 4 into two more manageable Districts.
- **Result 2: Stresses Innovation, Creativity and Risk-Taking.** Mr. Stricklin clearly demonstrated initiative and ability to explore and create alternative solutions to problems by:
  - Encouraging and empowering but not micro-managing his HQ Division Chiefs and Field District Managers to be creative with their efforts to manage their programs, e.g. developing slogans for Winter Alert, stickers for the Coal Miners emphasizing various hazards, developing and disseminating safety and health flyers, etc...
  - Giving numerous personnel opportunities to "act" or be temporarily promoted into positions outside their area as a result of a drain on resources due to the UBB investigations.
  - Submitting or supporting other program areas submission of various budget initiatives such as the eventual closing and then migration of District 1 into District 2, the development of a Mid West Mine Rescue facility, the transfer of the National Air and Dust lab functions from

Coal to Technical Support, and the efforts to restructure the Potential Pattern of Violation Process.

- **Result 3: Represents the Department Internally and Externally.** Mr. Stricklin served as an effective, reliable, and persuasive representative of the Agency and Department of Labor on virtually all matters internal and external to the agency by:
  - Becoming the face and voice of MSHA and the Department of Labor during the rescue/recovery efforts during UBB.
  - Representing MSHA in a multitude of Senate, House, and WV delegation briefings on the status of the investigation.
  - Briefing President Obama in the aftermath of the accident.
  - Attending with the President, Vice President, Secretary of Labor, and MSHA's Assistant Secretary, the West Virginia Memorial Service for the Upper Big Branch miners.
- **Result 4: Diverse Workforce.** Mr. Stricklin practices effective recruitment efforts to increase the pool of quality candidates from underrepresented groups by:
  - Continuing to collaborate with A&M, ODEO, and OPEOS personnel to target specific geographic areas prior to scheduling job fairs.
  - Dedicating staff to participate in career development events within the regions to expose students to possible careers and job opportunities with MSHA.
  - Holding all employees to a high standard of fair and equitable treatment, including hiring the best qualified.
  - Supporting Coal's efforts in accommodating employees when it does not affect the mission.
  - Participating in diversity hiring efforts, such as the presentation to the Colorado School of Mines.
- **Result 5: Provide Better Service to Clients and Customers.** Mr. Stricklin provided the highest quality service to Agency customers, stakeholders, and employees by anticipating, addressing, and proactively managing current and future needs by:
  - Meeting with the UBB families of the UBB victims in the aftermath of the accident.
  - Rotating personnel, this ensured that his districts had resources to meet the mandated inspections.
  - After UBB he did all he could to ensure that the morale of his employees and the Agency suffered as little as possible. Counselors were made available and he personally made visits to speak to the employees of District 4.
  - Providing the resources to serve on the committee to improve MSHA and Industry Mine Emergency Response Preparedness which had conducted interviews, collected objective and subjective data, analyzed data, prioritized gaps and recommended solutions to provide faster and more effective responses during mine emergencies.
  - Monitoring the timely investigation and resolution of hazardous conditions reported.
  - Participating in a number of gatherings or speaking engagements, internal and external including Coal inspector orientations and graduations, the Wilberg and Scotia Mine Disaster anniversaries, accompanying Sect. Solis and various congressional members on mine visits, speaking with Coal Operators, Coal Associations, and the Interstate Mining Commission.
  - Dealing with internal issues such as a pay/compensation issue that affected Mr. Frank Markosek, the former MSHA employee injured while attempting to rescue the trapped miners at Crandall Canyon.

- **Result 6: Accepts Mistakes as Development Process.** Mr. Stricklin accepts a culture that encourages employees to take calculated risks to improve performance by:
  - Fostering a climate providing motivation, participation and opportunities for employees to show initiative and take calculated risks.
  - Openly discussing and encouraging employees that in the face of a disaster and the resulting internal review and OIG audits, mistakes or inefficiencies will be found; however, he encouraged his employees to accept most of the criticisms as a means to become a stronger Agency.
- **Result 7: Integrity and Ethics.** Mr. Stricklin demonstrates integrity and adheres to the highest ethical standards by:
  - Consistently setting an example of integrity and high ethical standards for all he comes in contact with.
  - Being recognized for his honesty and candor during UBB family and media briefings.
  - Holding his employees to a high level of standards. Reacting quickly but fairly to remedy behavior and performance issues from his top managers to first level employees.

The manager Exceeds this competency.

### Managerial Competency Element 2: Resource Management

Mr. Stricklin's performance in this element directly supports achievement of the Department of Labor's Strategic Goal 2 – Secure Safe and Healthy Workplaces – and Performance Goal – Reduce work-related fatalities, injuries and illnesses in mines.

Mr. Stricklin has displayed an exceptional level of awareness and concern for agency expenditures and financial priorities. He consistently provides guidance and support to the districts and headquarters staff in effectively managing budgetary resources. This is displayed in the following accomplishments.

- **Result 1: Financial Management.** Mr. Stricklin displays an exceptional level of awareness and concern for agency expenditures and financial priorities by:
  - Providing guidance and support to effectively achieve 100% completion.
  - Up until the UBB Disaster, CSMH was on track over cut overtime costs more than in half.
  - Managing a budget of approx 158 million whereby 75% is attributed to payroll, 17% to overhead, 7% to recurring costs leaving CSMH about 1% to deal with unplanned purchases. Because of CSMH's efforts to ensure tight fiscal controls, the program area ended the FY at about \$250k in the red. It was determined that had UBB not occurred, CSMH would have ended the FY in the black.
  - Having monthly budget meetings between Mr. Stricklin's staff and MSHA's Budget Officer. This ensured a transparent operation.
  - His staff conducting quarterly conference calls with each of the 11 Coal Districts, to ensure from bottom up, Coal was managing the needs of the Districts while staying fiscally responsible.
- **Result 2: Talent Management.** Mr. Stricklin displays the highest commitment to the identification and/or recruitment, development, promotion and retention of diverse and talented individuals to build leadership capacity throughout the agency by:
  - Offering current employees the opportunity to act in vacant positions to promote talent and growth. Due to the UBB investigations, at the end of the FY, CSMH had approximately 40 – 45 personnel detailed or temporarily promoted into different positions.
  - Actively supporting efforts in the diverse hiring initiative, Federal Inspector Hiring program and the Career Intern Program. In FY 10 CSMH conducted 2 job fairs whereas for CY10 will have conducted job fairs in 5 of the 11 districts. An effort was made this CY to balance the number of job fairs needed to better assist the Human Resources Office will still meeting hiring needs.
- **Result 3: Technology and Modernization.** Mr. Stricklin identifies and creatively utilizes current and new technologies to maximize the agency's ability to achieve it priorities by:
  - Participating in the Rules to Live By training development and enhancement of the Inspector IPAL program to have message display during inspection that identifies most frequently cited standards.
  - Continuing to develop in house solutions in order to better track data, examples include enhancements to our overtime database, creating a Rock Dust reporting tool, and developing shared sources of information in order for personnel to share data.
- **Result 4: Leadership Support, Reward & Recognition, Teamwork, Individual Performance.** Mr. Stricklin repeatedly demonstrates ability to link individuals with Departmental and Agency performance requirements by:



- Linking all performance plans under his supervision to the Departmental goals. Allowing districts to reward employees through performance and instant good job awards.
- Recognizing personnel through the Secretary's Honor Award Program.
- **Result 5: Communication and Morale.** Mr. Stricklin fosters and reinforces a collaborative and engaged environment that inspires and encourages service, motivation, spirit, pride, and trust by:
  - Practicing an open door policy and brainstorming sessions empowering employees to share ideas.
  - Developing a climate of providing motivation, participation and opportunities for employee initiative.
  - Immediately and effectively investigating and addressing complaints filed whether it be anonymous, mine operators or other employees through using internal personnel and/or internal departments to maintain integrity of investigation and to ensure fair and unbiased decisions.
  - Personally serving as mediator on EEO complaints in an attempt to resolve issue before they proceeds to next step.
  - Routinely holding conference calls with District personnel to encourage and promote their efforts in support of the Agency's mission.
  - Keeping personnel informed of ongoing issues, visiting Districts and speaking to personnel to continue to encourage their hard work, to talk to employees, especially after a disaster, to ensure that our mission still lives and their contributions count. Mr. Stricklin, along with Secretary Main, held an all employee (MSHA HQ) meeting upon their return from UBB.
  - Recognizing, reacting and implementing a remedy with respect to conduct or performance related issues. In FY10 CSMH issues over 20 types of actions from counselings, oral admonishments confirmed in writing, reprimands, suspensions to terminations. The array of positions from which these actions were taken included secretaries, inspectors, supervisors and managers. These actions crossed 9 of the 11 Districts.
- **Result 6: FLSA Requirement.** Mr. Stricklin consistently applies FLSA and DOL policy regarding overtime by:
  - Ensuring his management personnel was aware of FLSA and how it impacts overtime eligibility and authorization.
  - Mr. Stricklin's staff developed a bullet sheet of definitions, rules, and tips re: FLSA and passed it on to the Coal Field managers.
- **Result 7: Recovery Act.** MSHA was not assigned program responsibilities or funds under the American Recovery and Reinvestment Act; therefore, has no input for this result.
- **Result 8: Recruits Qualified Applicants.** Mr. Stricklin manages with an acute understanding of available hiring flexibilities and utilizes them in order to attract and select qualified applicants by:
  - Actively supporting efforts in the diversity hiring initiative, Federal Inspector Hiring program and the Career Intern Program.
  - Using hiring incentives in hard to fill areas, e.g. relocation incentive in the Craig, CO area.

The manager Exceeds this competency.

**Organization Element Result #1: Reduce the mining Fatality injury incidence rate and the All-injury incidence rate in the nation's mines.**

**Mr. Stricklin's performance in this element directly supports Outcome Goal 2 -- Securing safe and health workplaces and Performance Goal -- Reduce work-related fatalities, injuries and illnesses in mines.**

**Fatal Injury Incidence Rate:**

FY 2010 Target: .0117

FY 2010 Result: .0558 through 3<sup>rd</sup> qtr

**All Injury Incidence Rate:**

FY 2010 Target: 3.85

FY 2010 Result: 3.65 through 3<sup>rd</sup> qtr

- CMSH initiated and has continued to conduct "impact inspections". Directly following the UBB disaster, Coal selected mines that would represent potential explosion hazards. These inspections resulted in 2,071 citations, 187 Orders, 6 Safeguards with an average S&S rate of 45.77%. This program grew into a National program.
- Coal Mine Safety and Health were the sole authors or co-authors on 24 Safety/Health Information Bulletins and Instruction Letters. Examples include Crushing Hazard on Battery-Powered Scoops, Examination of Electrical Underground Coal Mine Equipment, and Inadequate Ventilation.
- There were over 2,600 Special Assessment Reviews conducted.
- There were over 18,000 events opened and over 96,000 citations and orders issued.
- Conducted a number of inspections "blitzes" or "saturation inspections" at egregious offending mines, e.g. Gilliam mine located in District 5 which resulted in 99 citations and orders with 45% being S&S and 2 safe guards.
- CMSH provided representative to serve on the committee for "Rules to Live By" which analyzed historical data to determine the thirteen (11) safety standards most frequently cited as causing or contributing to fatal mining accidents to determine the standards to be targeted. The Inspector IPAL program was enhanced to identify standards cited during an inspection.
- All Coal Authorized Representatives (AR's) completed the Rules To Live By training course.
- Monitoring inspection data and the level of consistency in inspections. Audits were conducted and discrepancies were corrected.
- Excluding the UBB Disaster, CMSH would once again would be on a record setting pace for lowest fatalities.
- Ensured maximum use of resources despite over 40 details and temporary promotion ongoing due to UBB. Also, 3 entry level inspector training classes were started in FY10 and 7 classes graduated.
- Continued to promote consistency in enforcement measures through various means such as managers' meetings and conference calls, review of the inspector training, designating personnel to be a member of the curriculum review committee and training committee.

The manager meets this competency.

**Organization Element Result #2: Reduce the fatalities and injuries in the Nation's Coal mines by using the MSHA Key Indicators.**

**Mr. Stricklin's performance in this element directly supports Outcome Goal 2 – Securing safe and health workplaces and Performance Goal – Reduce work-related fatalities, injuries and illnesses in mines.**

- Key Indicator reports were utilized as a management tool in the following:
  - Achieving 100% completion of the mandatory safety and health inspections.
  - Impact inspections and various blitzes or saturation inspections from teams of inspectors from other districts were used to monitor a district's enforcement.
  - The Key Indicator reports continued to indicate that District 4's enforcement activities and that the district is too large. Therefore the push for the split of District 4 continued through FY10.
  - Issued safety alerts, safety flyers, fatality alerts, and various materials to distribute to coal miners such as alerts regarding electrical accidents, roof/rib accidents/fatalities, proximity warnings.
  - Indications of lacking oversight were addressed at the highest levels of the District, to ensure that the District Manager was aware that ultimately he/she was responsible for the expectations he/she put on the district personnel.
  - Ensured that poor performance, misconduct and errors are quickly dealt with, e.g. this FY there was over 20 actions taken against employees. These actions included actions such as termination for pre-notification to suspensions due to failure to following inspection procedures.
  - In order to maximize the availability of enforcement personnel, efforts were made to properly address issues of temporary vs permanent medical inability to perform essential functions.
  - Involved in ongoing safety and health issues and policies. Mr. Stricklin was engaged in the issuance of 24 Safety/Health Information bulletins and Instruction Letters.
  - Directly and through staff contributed to accident prevention and reduction strategies. Mr. Stricklin and staff traveled to districts, various meetings and conferences, Inspector orientations and graduations as well as met with specific mine operators and associations to discuss key initiatives.
  - Reviewed, along with his staff, all fatalities and draft enforcement actions which were contributory to fatal accidents.
  - Indicator reports were reviewed, monitored and analyzed to track individual and district performance, the other natl databases were regularly utilized (time utilization, IPAL uploads, timely citation terminations, etc.).
  - To achieve 100% completion, redistribution of personnel primarily to District 8 and 9 were necessary.

The manager exceeds this competency.

**Organization Element Result #3.** Decrease by 2% per year from the previous year's actual performance or target, the percentage of dust and noise samples taken with results that are above the allowable limits.

Mr. Stricklin's performance in this element directly supports Outcome Goal 2 – Securing safe and health workplaces and Performance Goal – Reduce work-related fatalities, injuries and illnesses in mines.

**Overexposures to Noise:**

FY 2010 Target: 3.94

FY 2010 Result: 2.94 through 3<sup>rd</sup> qtr

**Overexposures to Dust:**

FY 2010 Target: 7.63

FY 2010 Result: 7.26 through 3<sup>rd</sup> qtr

Mr. Stricklin's efforts for achieving this element were:

- Implemented a comprehensive strategy that included rulemaking, enforcement, outreach and education and training through the End Black Lung ACT NOW program which launched in December, 2009, including 4 rollout meetings in WV, PA, VA, and KY.
- Participated in 4 joint NIOSH/MSHA Dust Control Workshops held in WV, AL, IN, and CO.
- CSMH had representatives on the committee that wrote a proposed rule geared to lowering miners' exposure to respirable coal dust. The proposed rule combines prior regulatory actions addressing lowering coal mine dust exposure, single sample, plan verification and the use of continuous personal dust monitors.
- Established two teams of inspection personnel to conduct health inspections, respirable dust sampling and evaluation of dust controls. Mines were selected for inspections based on criteria such as:
  - 1) Difficulty complying with the applicable respirable dust standard.
  - 2) Low-weight Designated Occupation Samples (unreasonable concentration for occupation sampled).
  - 3) High quartz levels in respirable dust.
  - 4) Unreasonable/insufficient dust controls specified in the approved ventilation plan.
  - 5) Operator or MSHA samples not collected during time when unit is producing normal amounts of material (unrepresentative samples of normal mining operations).
- Over the course of the FY, the dust teams inspected 47 mines, collected over 689 valid respirable dust samples and issued 343 citations (199 health, 144 safety).
- Purchased an additional 6 Continuous Personal Dust Monitors. These units provide a real-time display of the respirable dust concentration and are used by Coal field personnel to gain experience in the use of this new technology to evaluate dust exposures and to determine the effectiveness of dust control measures being used by mine operators.

The manager exceeds this competency.

**Organization Element Result #4:** 1. Use all available tools to reduce and/or eliminate inconsistent; 2. Monitor the Accountability reviews; 3. Open Government; 4. Miners' Voice in the Workplace 5. (COOP) activities; and 6. Regulatory Agenda

**Result 1: Inconsistent enforcement.**

- CMS&H attained its goal of completing 100% of the mandatory safety and health inspections for FY2010. This is the third year in which CMS&H has reached this accomplishment.
- Continued to monitor inspection data and the level of consistency in inspections. Audits were conducted and discrepancies were corrected.
- Ensured that conferences and contested cases are conducted in accordance with MSHA handbook, policy and procedures.

**Result 2: Monitor Accountability**

- Continued to monitor and track accountability reviews to ensure compliance with recommendations.
- Ensured that enforcement personnel make mine visits to determine if the level of enforcement was effective and consistent with the conditions and practices in the mine.
- Monitored 105 (c) and 100 cases to ensure they have been timely and thoroughly investigated.

**Result 3: Open Government**

- Resources were provided to ensure openness, transparency and timely disclosure when responding to all FOIA's.
- Although inundated with FOLAs after UBB, was able to complete 37 requests.

**Result 4: Voice in the Workplace**

- Assisted with the development of MSHA Miners' Rights handbook. Information was provided on-line for miners to be able to recognize hazards and through a toll free telephone number for miners to notify MSHA of hazardous conditions and for miners to remain anonymous, to avoid discriminatory actions by mine operator. Miners' Rights has been added to the training curriculum for Journeyman Training.
- Issued through a memo to all District Managers requirements and the importance of the role played by miners' representatives during inspections and investigations.
- Investigated approximately 1208 hazardous condition complaints. Of those complaints with a final determination, 404 of 1183 (34%) resulted in a determination of positive findings.

**Result 5: COOP Activities**

- Provided support to COOP activities in coordination with DOL.

**Result 6: Regulations**

- Provided resources to participate and provide expertise on agency regulatory committees for the DustRule
- Had an active role in the April, 2010, the final rule for 30 CFR Parts 18, 74, and 75 Coal Mine Dust Sampling Devices; High-Voltage Continuous Mining Machine Standard for Underground Coal Mines.
- Had an active role in the September, 2010, publishing of the Emergency Temporary Standard for Maintenance of Incombustible Content of Rock Dust in Underground Coal

The manager *exceeds* this competency.